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Twenty-fifth Session, 1927

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GOVERNOR OF BENGAL.

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3. Excise.
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5. Public Health.

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2. Local Self-Government (except Medical and Public Health).
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A

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Atiqullah, Maulvi Syed Muhammad. [Mymensingh East (Muhammadan).]

B

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C

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Chakravarti, the Hon'ble Mr. Byomkes. (Minister.) (Bengal National Chamber of Commerce.)

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E

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G

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H

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K

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Mukerjea, Srijut Taraknath. [Hooghly Rural (Non-Muhammadan).]
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N

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S

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Sanyal, Babu Sachindra Narayan. [Rajshahi (Non-Muhammadan).]
Sarbadhikari, Dr. Sir Deva Prosad, Kt., C.I.E., C.S.I. (Nominated Non-official.)

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Sattar, Khan Sahib Maulvi Abdus. [Chittagong South (Muhammadan).]
Sattar, Mr. Abdool Razak Hajee Abdool. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Sen, Babu Nagendra Nath. [Khulna (Non-Muhammadan).]
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T

Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

W

Woodhead, Mr. J. A. (Nominated Official.)
Wordsworth, Mr. W. C. [Presidency and Burdwan (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Twenty-fifth Session.)

VOLUME XXV—No. 2.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 11th March, 1927, at 2·30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council and the two Hon'ble Ministers and 120 nominated and elected members.

Oath or Affirmation.

The following members made an oath or affirmation of their allegiance to the Crown:—

Mr. F. E. JAMES, O.B.E.

Mr. A. McD. EDDIS.

Mr. C. C. MILLER.

Mr. W. H. THOMPSON.

BABU UMES CHANDRA CHATTERJEE.

Starred Questions

(to which oral answers were given).

Alleged election propaganda work on behalf of the Chairman, Birbhum District Board.

***22. Babu JITENDRALAL BANNERJEE:** (*a*) Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that at the time of the last general election, the agency of Union

Boards and of District Board Charitable dispensaries was employed for the circulation of election literature and doing other propaganda work on behalf of the Chairman of the Birbhum District Board?

(b) If the answer to question (a) is in the affirmative, will the Hon'ble Minister be pleased to state how he proposes to deal with these offences of the District Board and District Charitable dispensary employees?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Chuznavi): (a) Government have no information.

(b) Does not arise.

Babu JITENDRALAL BANNERJEE: May I know if the Hon'ble Minister is taking any steps in order to have such information procured by Government?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: There is no point in doing so, because the matter cannot be dealt with under the present law.

Babu JITENDRALAL BANNERJEE: That is a different matter, but.....

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): You cannot argue the point.

Chemical works within Rishra-Konnagore Municipality.

*28. **Srijut TARAKNATH MUKERJEA:** (a) Is the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) aware of the existence of chemical works in the midst of the residential quarters of the Rishra-Konnagore Municipality of the Hooghly district?

(b) Is it a fact that the local Municipality has been obliged to reduce the taxes of the residents of that locality on the ground that the residents are suffering inconvenience and damage caused by the acid fumes?

(c) Are the Government considering the desirability of taking necessary steps in the matter?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Mr. [illegible]): (a) Yes.

(b) Government have no information.

(c) In the matter of the inconvenience steps have already been taken by the Director of Public Health and the Chief Inspector of Factories. A new sulphur furnace has been installed, and this is expected to minimise the nuisance of which complaint is made.

Lac industry in Malda and Murshidabad.

*30. **Babu ROMES CHANDRA BAGCHI:** (a) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether the Government are aware that the lac industry in Malda and Murshidabad has received a setback for the last three years owing to complete failure on the part of lac growers to grow any lac during those years?

(b) If so, are the Government considering the desirability of holding an enquiry to ascertain the reason therefor?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): (a) Government are aware of the failure of the lac crop in the two districts.

(b) Local enquiries have been made into the causes of failure, and the matter is now under the consideration of Government.

Reconstitution of Rampurhât and Birbhum Sadar Local Boards.

*31. **Babu JITENDRALAL BANNERJEE:** (a) Is the Hon'ble Minister in charge of the Department of Local Self-Government aware that the election of members from the Rampurhât and Sadar Local Boards of the Birbhum district was over as far back as September 1923?

(b) Will the Hon'ble Minister state whether fresh elections for the said Local Boards will be held forthwith?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN GHUZNAVI: (a) Yes.

(b) The Commissioner is being requested to have the Local Boards reconstituted as early as possible.

Babu JITENDRALAL BANNERJEE: Do I understand that the Hon'ble Minister has requested the Commissioner to get the Local Boards reconstituted?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: Yes.

Amta Drainage Scheme.

*32. **Babu MANMATHA NATH ROY:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether he is aware that the question of Amta Drainage Scheme has been pending for some time?

(*b*) Will the Hon'ble Minister be pleased to state whether the Government propose to carry out the scheme in the near future?

(*c*) What is the exact position of the scheme at present?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*a*) Yes.

(*b*) and (*c*) No decision has yet been reached with regard to the scheme. The agricultural benefits, which are likely to accrue from it, are now under investigation.

Détenus.

*33. **Babu MANMATHA NATH ROY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that most of the political détenus and prisoners have been suffering from ill-health, and that there are reasonable causes of apprehension in the case of many of them?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing—

(*i*) the names of those political détenus and prisoners who are not keeping good health;

(*ii*) the nature of the diseases which they are suffering from;

(*iii*) the steps that the Government intend to take to give them relief; and

(*iv*) whether the Government intend to release them?

(*c*) If the answer to (*b*) (*iv*) is in the affirmative, will the Hon'ble Member be pleased to state when they will be released?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) No.

(*b*) Government are not prepared to publish this information.

(*c*) Does not arise.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state the reasons for withholding all this information?

The Hon'ble Mr. A. N. MOSELEY: I have nothing further to add to what I stated in my reply to the resolution the other day.

Mr. A. C. BANERJEE: May I ask if it is not a fact that the reason for withholding the information is.....

Mr. PRESIDENT: That is not a question, Mr. Banerjee.

Agricultural calamity of lands within Raina and Jamalpur thanas of Burdwan.

*34. **Mr. P. C. BASU:** (a) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether the Government has formulated any scheme for the purpose of protecting agricultural lands within Raina and Jamalpur thanas in the district of Burdwan devastated by annual floods of the River Damodar?

(b) If the answer to (a) is in the negative, will the Hon'ble Member be pleased to state whether the Government are considering the desirability of doing so?

(c) Will the Hon'ble Member be pleased to state whether the attention of the Government has been drawn to the fact that on account of such annual ravages by the river a very large area in the said locality which was highly productive has become absolutely barren and unarable?

(d) What is the approximate area so affected, and is the Damodar Embankment in any way responsible for it?

(e) Will the Hon'ble Member be pleased to state whether the Government has ever considered the question of giving any relief to the tenants and other holders of the land? If not, why not?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (a) No.

(b) No, except that there is a proposal to excavate a drainage channel to relieve after flood water-logging in the two thanas named.

(c) and (d) The area affected is about 6 square miles, but varies with the intensity of the floods each year. If all embankments on the Damodar were removed, damage would still occur in the area named.

(e) In the year 1913, Rs. 82,000 was distributed as gratuitous relief and Rs. 10,000 as loans in the area which was affected by the flood of that year, but it is not possible to say how much of this relief was given in thanas Jamalpur and Raina.

Mr. P. C. BASU: Was the attention of the Hon'ble Member drawn to a report on the subject by Dr. Bentley?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Mr. P. C. BASU: Do I understand the Hon'ble Member to say that there is no help for the ravages caused by the Damodar?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I would ask for notice of this question.

Compensation to sufferers during communal disturbances in Pabna.

***35. Srijut JOGENDRA NATH MOITRA:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that a tax has been imposed on the Hindu residents within the Pabna Municipality to be utilised towards making good the loss suffered by the Hindu villagers of the Pabna district as a result of the looting which took place during the communal disturbances in Pabna in July last?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what proportion, if any, of such tax is to be borne by the Muhammadan inhabitants of the villages affected by such loss; and

(*ii*) what proportion is to be borne by the rate-payers of the Pabna Municipality, Hindus, and Muhammadans jointly or separately?

(*c*) Will the Hon'ble Member be pleased to state whether it is a fact that the inhabitants of the disturbed area outside the Pabna Municipality, who are either Government servants or Christians or Hindus, have been exempted from making any contribution to the aforementioned compensation?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for such differential apportionment?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Applications were received for compensation for the loss caused by the looting referred to, and under section 15A of the Police Act the sum awarded as compensation is to be paid by the inhabitants of the area in which the proclamation under section 15 is in force who have not been exempted from liability. The Hindu residents of the municipal area, with the exception of those who are too poor to pay 12 annas as annual municipal assessment, have not been exempted.

(*b*) This information is not available at present as the apportionment has not been completed.

(*c*) Yes.

(*d*) It was believed that those sections of the inhabitants were entirely free from responsibility for the disturbances which occurred in the proclaimed area last July.

Compensation to sufferers during communal riots in Pabna.

*36. **Srijut JOGENDRA NATH MOITRA:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether the losses due to the looting which took place during the communal disturbances in Pabna in July last were all sustained by the Hindus?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing—

(*i*) the names and distances from the Municipality of Pabna of the areas wherein the looting took place;

(*ii*) the day when and the place where the first looting took place as also the places and dates of subsequent occurrences;

(*iii*) the total number of the houses looted;

(*iv*) the number of persons arrested within the district; and

(*v*) the number of persons sent for trial?

(*c*) Will the Hon'ble Member be pleased to state whether it is a fact that there was a revision in the schedule of the chaukidari and the municipal taxes in the areas where a tax has been imposed on the Hindu residents within the Pabna Municipality to be utilised towards making good the loss suffered by the Hindu villagers during the last communal disturbances in Pabna?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what is the total number of the Muhammadan tax-payers who have been exempted from payment of the punitive tax; and

(*ii*) what extra payment by the Hindus is involved by reason of such exemption?

The Hon'ble Mr. A. N. MOBERLY: (*a*) Yes.

(*b*) (*i*)—(*v*) A statement is laid on the table.

(*c*) There is no chaukidari tax in the Pabna Municipality within which alone the Hindus are liable for payment of the cost under sections 15 and 15A of the Police Act, and the District Magistrate has nothing to do with the assessment of the municipal tax. The cost is apportioned according to the Magistrate's judgment of the respective

means of the inhabitants. It is understood that the Magistrate has considered the municipal assessment in making the apportionment, but has not necessarily followed it as it is his duty to exercise his own judgment as to a person's means.

(*d*) (*i*) All Muhammadans who are either Government servants or are too poor to be able to pay annas 12 as annual chaukidari tax in rural areas or annual municipal tax in the municipal area have been exempted. The total number is not known.

(*ii*) It is impossible to say.

Statement referred to in the reply to clause (b) of Starred Question No. 36 furnishing the information required.

(*i*) and (*ii*).

Names of areas.	Distance from the Municipality in miles.	Date on which looting took place.
Pabna Municipality—		
Gopalpur (within the Municipality)	..	2nd July 1926.
Shibrampur (ditto)	..	7th July 1926.
Pabna Thana—		
Gayeshpur	6	3rd July 1926.
Dubla	9	3rd July 1926.
Dogachi	4	3rd July 1926.
Dhopaghata	7	4th and 5th July 1926.
Koladi	8	4th July 1926.
Baksipur	5	4th July 1926.
Naldah	7	4th July 1926
Saradia Bazar	10	4th July 1926.
Kuchiamora	10	4th July 1926.
Banagram	8	5th July 1926
Kachharpur	10	5th July 1926.
Bangabaria	8	5th July 1926.
Harinarayanpur	8	5th July 1926.
Durgapur	10	6th July 1926.
Sonapur	11	6th July 1926.
Atghoria Thana		
Sibpur	11	4th July 1926.
Kajuri	14	5th July 1926.
Chandai	15	6th July 1926.
Laksmipur	16	6th July 1926.
Santhia Thana—		
Ataikula Raghunathpur	12	6th July 1926.
Dayarampur	20	7th July 1926.
Debipur	17	7th July 1926.
Bhowanipur	17	7th and 8th July 1926.
Bhulbaria	16	7th July 1926.
Sargaon Bhowanipur	17	8th July 1926.
Santhia Thana—		
Gayeshbari	18	8th July 1926.
Sujanagar Thana—		
Sujanagar	12	4th July 1926.

(*iii*) The total number of houses looted 156

(*iv*) The number of persons arrested within the district ... 635

(*v*) The number of persons sent up for trial 623

Combined office of the Legislative Department and Legislative Council in Bengal.

*37. **Khan Bahadur Maulvi EKRAMUL HUQ:** Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether the Government are considering the desirability of separating the combined office of the Legislative Department and the Legislative Council in Bengal?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Mr. J. Donald): No.

Election to the Bengal Legislative Council.

*38. **Babu ROMES CHANDRA BACCHI:** Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*i*) the names of candidates in each constituency during the last general election of the Bengal Legislative Council;

(*ii*) the number of votes recorded in each constituency;

(*iii*) the total number of voters in each constituency; and

(*iv*) the number of votes secured by each candidate?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): The member is referred to the reply given to an unstarred question on the subject put by Mr. Kiran Sankar Roy in this session of the Council.

Prosecution of editors and printers of newspapers.

*39. **Mr. P. C. BASU:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) how many prosecutions had been instituted against editors and printers of newspapers under sections 124A and 153A of the Indian Penal Code since April, 1926, and with what result; and

(*ii*) whether any opinions of the law officer of the Crown were taken before launching the said prosecutions?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table copies of the said opinions?

The Hon'ble Mr. A. N. MOBERLY: (*a*) (*i*) Since April, 1926, 17 cases under section 153A, Indian Penal Code, and 5 under section 124A, Indian Penal Code, have been instituted against editors and printers of newspapers. Of the cases under section 153A, Indian Penal Code, 10 resulted in conviction and imprisonment or fines, 2 in conviction and the execution of bonds, 4 in acquittal, and 1 is still pending. Of the cases under section 124A, Indian Penal Code, all resulted in conviction. In addition to these cases proceedings under section 108, Criminal Procedure Code, were instituted against five newspapers for similar offences resulting in the execution of bonds in four cases, and an apology and undertaking in the fifth. One of the bonds was, however, cancelled on appeal.

(*ii*) The answer is in the affirmative.

(*b*) Government are not prepared to publish the opinions of their legal advisers.

Mr. P. C. BASU: Will the Hon'ble Member be pleased to let me know the names of the law officers who were consulted?

The Hon'ble Mr. A. N. MOBERLY: Different officers were consulted in different cases.

Stenographers in the Bengal Secretariat.

***40. Maulvi MOHAMED SADEQUE:** Will the Hon'ble Member in charge of the Department of Finance be pleased to state—

(*i*) how many grades there are in the cadre of stenographers in the Bengal Secretariat?

(*ii*) what is the number of stenographers in those different grades?

(*iii*) how many of them are Muhammadans?

(*iv*) how many vacancies occurred and how many of them were filled up during each of the last five years?

(*v*) how many of the vacancies were filled up by Muhammadans?

(*vi*) what were the number of Muslim candidates in each of the vacancies mentioned in (*iv*)?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*i*) Two grades.

(*ii*) Five in the first grade and 16 in the second.

(*iii*) None.

(*iv*) 1922—none; 1923—two; 1924—none; 1925—one; 1926—none.

(*v*) None.

(*vi*) None.

Unstarred Questions

(answers to which were laid on the table).

Remission of the chaukidari tax and revenue in Contai.

86. Babu PROMOTHA NATH BANERJEE: Will the Hon'ble Member in charge of the Police Department be pleased to state whether the Government are considering the desirability of remitting the chaukidari tax and revenue for this year of the people of the Contai subdivision?

The Hon'ble Mr. A. N. MOBERLY: At the instance of the local officers, the chaukidari tax of the 3rd quarter in the Contai subdivision has been remitted. A proposal has been received for partial remission of this tax for the 4th quarter which is under the consideration of Government.

As regards rents from Khas Mahals, the Board of Revenue has sanctioned the remission of 50 per cent. of the rents and suspension until January 1928 of the remaining 50 per cent. in respect of an area of about 50,000 acres in the Contai, Birbandar and Bhagwanpur circles in the Jalamutha and Majnamutha estates in the Contai subdivision.

Dacca-Calcutta mail steamers.

87. Mr. KIRAN SANKAR ROY: (*a*) Is the Hon'ble Member in charge of the Marine Department aware that great inconvenience is felt by the people of Munshiganj in the district of Dacca owing to the fact that the Dacca-Calcutta mail steamers (Up and Down) do not touch at Munshiganj?

(*b*) Are the Government considering the desirability of arranging for a stoppage at Munshiganj?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) No. The Narayanganj Express steamer service is intended as the connection for mails and passengers between Goalundo, Narayanganj and Dacca, and to secure regularity in arrival at Narayanganj, intermediate stoppages have to be cut down to a minimum. Passengers for Munshiganj can leave immediately on arrival of the Express steamer at Narayanganj by the ferry launch.

(*b*) No.

Steamer route from Barisal to Hularhat.

88. **Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether it is a fact that by the re-excavation of Gabkhan Khal in the district of Barisal the distance in mileage by the steamer route from Barisal to Hularhat was much shortened?

(*b*) Is it a fact that in spite of this shortage the steamer company used to realise the old fares for a very long time showing the old mileage on the tickets?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the length of period for which the old fares were realised?

(*d*) What is the total of such excess amount realised?

(*e*) Is it a fact that Babu Gopal Chandra Biswas, Pleader, Barisal, brought a test suit for the refund and recovery of such excess amount realised from him and has obtained a decree against the steamer company in the Munsif's Court, Barisal?

(*f*) Will the Hon'ble Member be pleased to state whether the Government are considering the desirability of taking any step for the realisation of such excess amounts from the steamer company? If so, will the Government recover the sum (which is expected to be a large sum) from the steamer company and spend it for some public work of Barisal, say, the Establishment of Barisal Medical School?

The Hon'ble Mr. J. DONALD: (*a*) Yes, by six miles.

(*b*) Yes; the old fares were realised for some time.

(*c*) Government have no information regarding the actual period.

(*d*) No excess amounts were realised over and above the advertised fares in force for the time being.

(*e*) Government have no information.

(*f*) The question does not arise.

Inland Steam Vessels plying from Khulna and Madaripur.

89. **Babu SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(*i*) how many steam vessels, which run on Madaripur-Tarpassa, Madaripur-Khulna, Madaripur-Barisal and Khulna-Boalmari lines, are equipped with electric lights; and

(*ii*) how many of them carry oil lamps?

(*b*) Is the Hon'ble Member aware that the number of oil lamps hat a steam vessel plying on the aforesaid lines is provided with, is nsufficient?

(*c*) Is the Hon'ble Member aware that the flat named *Ardsheill*, hich is used as the flat-station of Charmugria Ghat on the Khulna-arpassa line, is unsuitable and ill-equipped?

(*d*) Do Government contemplate any change or improvement?

The Hon'ble Mr. J. DONALD: (*a*) (*i*) and (*ii*) All vessels have lectric lights.

(*b*) The question does not arise.

(*c*) No.

(*d*) No.

Dr. KUMUD SANKAR RAY: May I ask the Hon'ble Member, Sir, hether he made any enquiry to find out if that steamer was ill-equipped efore saying no?

The Hon'ble Mr. J. DONALD: Yes.

Pabna riots.

90. Dr. J. M. DAS GUPTA: Will the Hon'ble Member in charge f the Police Department be pleased to lay on the table a statement egarding the communal riots in Pabna in July last—

(*i*) the names of the villages affected;

(*ii*) the percentage of Hindu and Muhammadan population in each;

(*iii*) the number of people convicted for the riots;

(*iv*) the kind of punishment inflicted on each convicted person and the percentage of Hindus and Muhammadans amongst them;

(*v*) the total cost of maintaining the punitive police from the beginning up to now;

(*vi*) the percentage of it borne by the Hindus and Muhammadans respectively; and

(*vii*) the names and ranks of the following Government officers in Pabna at the time of the riots, and the length of time they had been in their respective posts: (*a*) the various thana officers in the affected areas; (*b*) the District Superintendent of Police; (*c*) the District Magistrate; and (*d*) the District and Sessions Judge?

The Hon'ble Mr. A. N. MOBERLY: (*i*) and (*ii*) A statement is laid on the table.

(*iii*) 184 up to February 16th last.

(*iv*) Kind of punishment inflicted on convicted persons—

2 months' rigorous imprisonment	...	4 persons.
3 months' rigorous imprisonment	...	25 persons.
6 months' rigorous imprisonment	...	20 persons.
1 year's rigorous imprisonment	...	3 persons.
2 years' rigorous imprisonment	...	130 persons.
Dealt with under section 562, Cr. P. C.	...	2 persons.
Total	...	184
Percentage of Hindus convicted	...	7·6
Percentage of Muhammadans convicted	...	92·4

(*v*) The total cost of additional police for the period 1st October, 1926, to the 23rd July, 1927, for which they have been sanctioned is Rs. 29,241-4.

(*vi*) This information is not yet available as the apportionment has not been completed.

(*vii*) A statement is laid on the table.

Statement referred to in the reply to clauses (i) and (ii) of Unstarred Question No. 90, showing the names of villages which were considered to be in a state of disturbance with percentage of Hindu and Muhammadan population in each.

Municipality.	Percentage of Hindu population.	Percentage of Muhammadan population.
The whole of Pabna Municipality	50·4	49·09

Police-station.	Villages.	Percentage of population.	Percentage of Muhammadan population.
abna ..	All villages situated within the jurisdiction of the Pabna police-station (containing 204 villages).	17	83
tghoria ..	Sahadia (Araji)	24·8	75·2
Do. ..	Sahadiar		
Do. ..	Sidhipur	Nil	100
Do. ..	Rahimpur . ..	24·8	75·2
Do. ..	Paida	Nil	100
Do. ..	Murad	Nil	100
Do. ..	Kumilee	Nil	100
Do. ..	Gopalpur	12	88
Do. ..	Khaderpara . ..	Nil	100
Do. ..	Choukibari . ..	60·6	39·4
Do. ..	Nurjan . .	27·1	72·9
Do. ..	Ekdanta Debottar . ..	57·6	42·4
Do. ..	Ekdanta Baropara ..	34·2	65·8
Do. ..	Kadumbagh . ..	20·6	79·4
Do ..	Sibpur .	10	90
Do. ..	Jatrapur . ..	2·3	97·7
Do. ..	Chandai . ..	30·3	69·7
Do.	Ranogaon . ..	62·3	37·7
Do. ..	Nityanandapur . ..	Nil	100
Do. ..	Dapunia . ..	17·7	82·3
Do. ..	Nalkola .. .	7·4	92·6
Do. ..	Sripur .	15·6	84·4
Do.	Hasimpur	Nil	100
Do. ..	Kaijuri	66·9	33·1
Do. ..	Chak Jaykrishtapur .	Nil	100
Do. ..	Gurubasi	2·9	97·1
anthia ..	Bhulbaria .. .	57	42
Do. .	Chamta . .	·7	99·3
Do. .	Goyeshbari .	23	77
Do. .	Sargoan . ..	18·6	81·4
Do. ..	Debipur	22·5	77·5
Do. .	Buraipur . .	3·9	96·1
Do.	Ratanpur . .	Nil	100
Do ..	Haripur . ..	Nil	100
Do. .	Bhabanipur .	25·4	74·6
Do. ..	Jagannathpur	26·8	73·2
Do. ..	Doyaramjpur . ..	25	75
Do. ..	Sibpur .. .	Nil	100
Do. ..	Brihaspatipur . ..	Nil	100
Do. ..	Raghunathpur . ..	35·9	62·9
janagar ..	Sujanagar	36·5	63·5

tatement referred to in the reply to clause (vii) of Unstarred Question No. 90, showing the names and ranks of Government officers in Pabna at the time of the riots and the length of time they had been in their respective posts.

(2) Thana officers in affected areas—

Pabna Police Station—

Jotindra Nath Bhattacharji, Sub-Inspector—One year and one month.

Sujanagore Police Station—

Sudhanshu Bhusan Singh, Sub-Inspector—One year and three months.

Santhia Police Station—

Dwarika Nath Dey, Sub-Inspector—One year and eight months.

Atghoria Police Station—

Hussainazzaman, Sub-Inspector—Less than a month.

(*b*) The District Superintendent of Police—Mr. Tuni Meerza—One year and three months.

(*c*) The District Magistrate—Khan Bahadur Nasiruddin Ahmad—One month.

(*d*) The District and Sessions Judge—Mr. Iradatullah—Three months.

Traffic Police in Dacca.

91. Mr. JOGESH CHANDRA GUPTA: With reference to the reply given to clause (*b*) of unstarred question No. 38 on the 23rd February, 1927, will the Hon'ble Member in charge of the Police Department be pleased to state for how long the proposal for the entertainment of a staff of traffic police has been under consideration, and for how long it is likely to be considered by Government?

The Hon'ble Mr. A. N. MOBERLY: The proposal has been under consideration since August last. It involved the entertainment of a staff of 1 sergeant, 1 head constable and 15 constables on an ultimate recurring cost of Rs. 8,272-15-9 per annum and a non-recurring cost of Rs. 1,503-12. The Inspector-General of Police was therefore asked to examine whether it would not be possible to release men from the ordinary police staff for traffic duty and to reduce the cost, and an experiment is now being tried of controlling traffic with the existing strength of the town police. Government will await the result of this experiment before considering the entertainment of a separate staff of traffic police.

Posts reserved for the members of the Indian Medical Service.

92. Mr. RAZAUR RAHMAN KHAN: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government (Medical and Public Health) be pleased to lay on the table a statement showing the name of the posts declared reserved for the members of the Indian Medical Service?

(*b*) Will the Hon'ble Minister be pleased to state whether any distinction is made in filling up any vacancy in those posts between the European and the Indian element of the service?

(*c*) Will the Hon'ble Minister be pleased to state whether the post of the Superintendent of the Royal Botanic Garden was declared reserved for the members of the Indian Medical Service?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (MEDICAL and PUBLIC HEALTH) (the Hon'ble Mr. Byomkes Chakravarti): (*a*) A statement is laid on the library table.

(*b*) There is no such distinction, except where it is desirable on special grounds to have a European, *e.g.*, at the Presidency General Hospital.

(*c*) No.

Augmentation grant to and unspent balance of Burdwan District Board.

93. Mr. P. C. BASU: (*i*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state the amount of augmentation grant by the Government to the District Board of Burdwan during the last five years?

(*ii*) What was the annual unspent balance during the said period?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*i*) 1922-23—Rs. 74,500.

1923-24—Rs. 84,231.

1924-25—Rs. 84,464.

1925-26—Rs. 77,428.

1926-27—Rs. 70,932.

(*ii*) The District Board's balance at the end of each of these years was as follows:—

1922-23—Rs. 3,85,457.

1923-24—Rs. 2,21,196.

1924-25—Rs. 3,33,057.

1925-26—Rs. 3,97,188.

1926-27—(Figures not yet reported by the Divisional Commis-

Mr. P. C. BASU: Was any explanation asked for from the District Board of Burdwan regarding this unspent balance each year?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: I would ask notice for the question.

State prisoners and other détenus of Faridpur district.

94. Babu SURENDRA NATH BISWAS: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) how many young men of the district of Faridpur have been under detention under Bengal Regulation III of 1818 and the Criminal Law (Amendment) Act, 1925;

(*ii*) what are their names;

(*iii*) where are they detained; and

(*iv*) what is the present state of their health?

The Honble Mr. A. N. MOBERLY: Government are not prepared to furnish this information.

Babu SURENDRA NATH BISWAS: Will the Government please state what are the reasons that Government is not prepared to furnish this information?

The Hon'ble Mr. A. N. MOBERLY: Government does not think it necessary to furnish any reason.

Outbreak of malaria, etc., in the Rangpur district.

95. Babu JATINDRA NATH CHAKRABURTTY: (*a*) Is the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) aware of the outbreak of malaria, kala-azar, cholera and small-pox in various parts of the Rangpur district during the last few years?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the last 3 years in the Rangpur district how many people died of—

(*i*) Malaria;

(*ii*) Kala-azar;

(*iii*) Cholera; and

(*iv*) Small-pox?

(*c*) Is it a fact that statistics show that deaths from these diseases are on the increase?

(*d*) Will the Hon'ble Minister be pleased to state whether any steps have been taken by the Public Health Department to combat this outbreak?

(*e*) If so, what steps have been taken?

(*f*) If no steps have been taken, are the Government proposing taking any steps in the matter?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: (*a*) Yes.

(*b*) and (*c*) A statement giving the information is laid on the table.

(*d*), (*e*) and (*f*) Anti-cholera work.—During the year 1926-27 four Sanitary Inspectors have been placed by Government under the District Board to assist in carrying out anti-cholera work.

10,000 dozes of anti-cholera vaccine and 42 cwts. of bleaching powder and 50 gallons of izal have been supplied.

Anti-small-pox measures.—During the year 1926-27, a special cash grant for free vaccination has been sanctioned and it is proposed to supplement it with an additional grant for the employment of vaccinators to push on vaccination in the district. These grants are in addition to the cost of the vaccination inspecting staff stationed in the district and paid by Government.

80,000 grains of vaccine lymph were supplied to the district of Rangpur during the year 1926.

Anti-malaria work.—It is proposed to make a grant to the Rangpur District Board out of the current year's budget provision of Rs. 80,000 for anti-malaria work.

150 pounds of quinine sulphate and 400 pounds of cinchona febrifuge have been supplied to the Rangpur district during the year 1926-27.

Anti-kala-azar work.—A special grant of Rs. 9,000 has been sanctioned and 600 grammes of stiburea have been supplied to the Rangpur district during the year 1926-27.

Statement referred to in the reply to clauses (b) and (c) of Unstarred Question No. 95, showing mortality from cholera, small-pox, malaria and kala-azar in the district of Rangpur during the years 1924-26.

	Cholera deaths.	Small-pox deaths.	Malaria deaths.	Kala-azar deaths.
1924 ..	4,370	100	54,341	79
1925 ..	2,875	361	52,796	252
1926 ..	1,148	1,077	47,821	163

Ministerial Officers and Bengal Civil Service.

96. Khan Bahadur Maulvi AZIZUL HAQUE: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether there is any bar to the promotion of a higher grade ministerial officer to the Bengal Civil Service?

(*b*) If so, will the Hon'ble Member be pleased to state what these bars are?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*b*) Ministerial officers are not considered eligible for promotion to the Bengal Civil Service.

Superintendent, Royal Botanic Garden.

97. Mr. RAZAUR RAHMAN KHAN: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that the post of the Superintendent of the Royal Botanic Garden is ordinarily filled by a member of the Indian Medical Service?

(*b*) If the answer to (*a*) above is in the affirmative, will the Hon'ble Minister be pleased to state why a departure was made by the Government in filling up that vacancy in the Royal Botanic Garden since the retirement of Lieutenant-Colonel A. T. Gage, I.M.S., M.A., M.B., etc.?

(*c*) Will the Hon'ble Minister be pleased to state the medical and scientific qualifications of the officer who was confirmed in that post and the officer who is officiating in it?

(*d*) Is it the present policy of the Government to fill up that post by men not belonging to the Indian Medical Service?

(*e*) Will the Hon'ble Minister be pleased to state the amount of salary and allowance attached to that post?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN GHUZNAVI: (*a*) The post of Superintendent, Royal Botanic Garden, is not reserved for the Indian Medical Service.

(*b*) The question does not arise.

(*c*) Neither the permanent nor the acting Superintendent possesses medical qualifications. Mr. Calder, the permanent Superintendent, is a B. Sc. (Aberdeen), B. Sc. (Agr.) and F.L.S. He served as Curator of the Herbarium, Royal Botanic Garden, before his appointment as Superintendent. Mr. Cowan, the officiating Superintendent, is an M. A., B. Sc. (Edin.) and B. A. (Oxon.). He is an officer of the Indian Forest Service. He qualified in systematic botany of Indian trees.

(*d*) The question does not arise.

(*e*) The pay of the post of Superintendent is Rs. 800—100—1,300 *plus* (*i*) duty allowance of Rs. 200 a month for carrying out the separate duties of Superintendent of Cinchona Plantations, Bengal, and (*ii*) special pay of Rs. 400 a month as Director of Botanical Surveys of India.

A conveyance allowance of Rs. 100 a month is also attached to the post."

State prisoners and other détenus.

98. Rai JADUNATH MAZUMDAR Bahadur: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing the—

(*i*) name;

(*ii*) residence;

(*iii*) age;

(*iv*) caste;

(*v*) religion;

(*vi*) profession;

(*vii*) place of detention and

(*viii*) reasons for their detention,

of all the Bengal political prisoners detained under Bengal Regulation III of 1818 and the Bengal Criminal Law (Amendment) Act, 1925?

The Hon'ble Mr. A. N. MOBERLY: (*i*) A statement is laid on the table.

(*ii*) to (*viii*) Government are not prepared to publish this information.

Statement referred to in the reply to Unstarred Question No. 98.

[List of Bengalis at present under detention in jail under section 11 of the Bengal Criminal Law (Amendment) Act, 1925, or under Regulation III of 1818, corrected up to 2nd March 1927.]

Ramesh Chandra Acharji.
Bijan Kumar Banarji.
Kali Prasad Banarji.
Ranajit Kumar Banarji.
Kshitish Chandra Banarji.
Prabin Chandra Barua.
Ashutosh Bhattacharji.
Pratul Chandra Bhattacharji.
Jatindra Nath Bhattacharji.
Madan Mohan Bhaumik.
Subhas Chandra Bose.
Hari Kumar Chakrabartti.
Jashoda Ranjan Chakrabartti.
Panchanan Chakrabartti.
Atul Krishna Datta.
Bhupendra Kumar Datta.
Charu Bikash Datta.
Sachindra Nath Datta.
Bepin Behari Ganguli.
Pratul Chandra Ganguli.
Santosh Kumar Ganguli.
Ganesh Chandra Ghosh.
Jyotish Chandra Ghosh.
Shyama Kumar Ghosh.
Satish Chandra Chakrabartti.
Trailakhya Charan Chakrabartti.
Bankim Chandra Chatarji.
Bibhuti Bhusan Chatarji.
Jiban Lal Chatarji.
Jogesh Chandra Chatarji.
Khagendra Nath Chatarji.
Girija Sankar Chaudhuri.
Prafulla Kumar Chaudhuri.
Jatindra Nath Das.
Narendra Nath Das.
Purna Chandra Das.
Purnananda Das Gupta.
Rajendra Kumar Das Gupta.
Biswanath Mukharji.
Dhirendra Chandra Mukharji.
Gostha Behari Mukharji.
Jadu Gopal Mukharji.
Kiran Chandra Mukharji.
Panna Lal Mukharji.
Siba Prasad Mukharji.
Satish Chandra Pakrashi.
Pratap Chandra Rakshit.
Sachindra Nath Sanyal.

Surendra Mohan Ghosh.
Anil Kumar Guha.
Arun Chandra Guha.
Monoranjan Gupta.
Ashutosh Khahili.
Surendra Mohan Kar.
Ajit Kumar Maitra.
Bhupati Mazumdar.
Nripendra Nath Mazumdar.
Satyendra Chandra Mitra.
Amritra Lal Sarkar.
Manmatha Kumar Sarkar.
Nagendra Nath Sen.
Narendra Nath Sen.
Nirmal Chandra Sen.
Surja Kumar Sen.
Niranjan Sen Gupta.
Manindra Nath Sen Gupta.
Rabindra Mohan Sen Gupta.
Nalini Ranjan Sur.

Proportion of chaukidari and union rate paid by Hindus and Muhammadans.

99. Mr. ANANDA MOHAN PODDAR: Will the Hon'ble Member in charge of the Police Department be pleased to state the proportion of chaukidari or union rate taxes paid by the Hindu and Muhammadan inhabitants of Bengal in the years 1925 and 1926?

The Hon'ble Mr. A. N. MOBERLY: The information is not available and cannot be collected without extensive enquiries which Government are not prepared to make.

Elections to the Bengal Legislative Council and Legislative Assembly.

100. Mr. KIRAN SANKAR ROY: Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing district by district for the last general election—

(*i*) the number of voters in the last Electoral Roll in each constituency of the Bengal Presidency;

(*ii*) the number of voters who actually recorded their votes, and

(*iii*) the number of votes received by each of the candidates in each constituency with their names?

The Hon'ble Mr. A. N. MOBERLY: A statement is laid on the table.

Statement referred to in the reply to Unstarred Question No. 100.

A

DETAILED RETURNS SHOWING THE RESULTS OF ELECTIONS TO THE BENGAL LEGISLATIVE COUNCIL.

Nature and name of constituency.	Candidates nominated.	Number of voters on the electoral roll.		Number of votes polled.	Name of member or members returned.	Percentage of votes polled to total number of electors.	Remarks.
		Male.	Female.				
1	2	3	4	5	6	7	8
Calcutta North (Non-Muhammadan).	Subhas Chandra Bose ..	4,368	792	2,110	Subhas Chandra Bose ..	53	
	Jatindra Nath Bose ..	..	..	588			
Calcutta East (Non-Muhammadan).	Dr. Pramathanath Banerjea ..	4,593	878	1,777	Dr. Pramathanath Banerjea ..	39	
	Dr. Monmotha Nath Chatarji..	..	..	261			
	Dr. Santosh Kumar Mukharji..	..	..	86			
Calcutta West (Non-Muhammadan).	Prabhu Doyal Himatsingka ..	4,984	340	..	Prabhu Doyal Himatsingka ..	....	Returned unopposed.
Calcutta Central (Non-Muhammadan).	Dr. Jatindra Mohan Das Gupta	5,306	936	1,686	Dr Jatindra Mohan Das Gupta	41	
	Rai Haridhan Dutta Bahadur	..	..	856			
Calcutta South Central (Non-Muhammadan).	A. C. Banerjee	4,360	678	833	A C. Banerjee	21	
	Apurva Chandra Mukharji ..	.	..	198			
Calcutta South (Non-Muhammadan).	Bejoy Krishna Bose ..	4,568	815	1,830	Bejoy Krishna Bose ..	49	
	Rai Jogendra Chandra Ghosh Bahadur.		..	108			
	Charu Chandra Biswas ..	..	..	683			
Hooghly Municipal (Non-Muhammadan).	Rai Mahendra Chandra Mitra Bahadur.	7,913	2,711	2,196	Amulya Chandra Datta ..	46·9	
	Amulya Chandra Datta ..	..	..	4,019			
Howrah Municipal (Non-Muhammadan).	Charu Chandra Sinha ..	11,652	2,933	..	Charu Chandra Sinha ..	....	Returned unopposed.
24-Parganas Municipal North (Non-Muhammadan).	Dr. Bidhan Chandra Roy ..	11,598	2,306	4,721	Dr. Bidhan Chandra Roy ..	....	
	Panchugopal Chakrabarti ..	..	..	2,184			

24-Parganas Municipal South (Non-Muhammadan).	Surendra Nath Ray ..	10,562	827	..	Surendra Nath Ray ..	50·8	Returned unopposed.
Dacca City (Non-Muhammadan)	Satyendra Kumar Das ..	2,207	294	3	Jogesh Chandra Gupta ..	70	
	Ramanath Das ..	..	..	778			
	Shyamchand Basak ..	..	..	3			
	Jogesh Chandra Gupta ..	..	..	947			
Burdwan North (Non-Muhammadan).	Sarat Chandra Basu ..	18,692	947	5,594	Sarat Chandra Basu ..	89·29	
	Raja Monilal Singh Roy ..	..	..	2,027			
Burdwan South (Non-Muhammadan).	Lt. Bijoy Prosad Singh Roy ..	16,212	949	2,734	Provash Chandra Basu ..	34·93	
	Provash Chandra Basu ..	..		3,185			
Birbhum (Non-Muhammadan)	Raja Satya Niranjan Chakrabatti.	18,409	1,009	3,778	Jitendralal Bannerjee ..	49	
	Jitendralal Bannerjee ..	..	..	5,583			
Bankura West (Non-Muhammadan).	Bijay Kumar Chatterjee ..	16,890	360	3,935	Bijay Kumar Chatterjee ..	26	
	Satyakinkar Sahana ..	..	..	492			
Bankura East (Non-Muhammadan).	Umesh Chandra Chatterjee ..	11,269	399	2,128	Umes Chandra Chatterjee ..	23·7	
	Bholanath Bhattacharji .	..	..	609			
Midnapore North (Non-Muhammadan).	Debendra Lal Khan .	25,413	939	6,972	Debendra Lal Khan ..	50·7	
	B. N. Sasmal .. .	..	.	6,263			
Midnapore South (Non-Muhammadan).	Gangadhar Nanda .	10,544	115	1,785	Pramathanath Banerjea ..	49·6	
	Pramathanath Banerjea .	..		3,418			
	Baranoshi Banarji ..		.	30			
Midnapore South-East (Non-Muhammadan).	Mahendra Nath Maity .	9,949	363	2,019	Mahendra Nath Maity ..	20	
	Rebati Nath Maity ..	..	.	21			
Hooghly Rural (Non-Muhammadan).	Taraknath Mukerjea ..	20,418	374	..	Taraknath Mukerjea ..	....	Returned unopposed.
Howrah Rural (Non-Muhammadan).	Manmatha Nath Roy ..	12,253	228	..	Manmatha Nath Roy ..	....	Returned unopposed.
24-Parganas Rural Central (Non-Muhammadan).	Hem Chandra Nasker ..	9,707	75	1,873	Hem Chandra Nasker ..	21	
	Haran Chandra Datta ..	.	..	156			
24-Parganas Rural South (Non-Muhammadan).	Sasi Sekhar Basu ..	12,516	195	2,851	Sasi Sekhar Basu ..	44·1	
	D. C. Ghose	..	..	2,537			
24-Parganas Rural North (Non-Muhammadan).	Rai Harendranath Chaudhuri	9,024	87	..	Rai Harendranath Chaudhuri	....	Returned unopposed.
Nadia (Non-Muhammadan) ..	Indu Bhusan Bhaduri ..	24,515	2,264	3,231	Basanta Kumar Lahiri ..	45·15	
	Basanta Kumar Lahiri ..	..	..	6,061			
	Atul Krishna Kundu ..	..	..	32			

Nature and name of constituency.	Candidates nominated.	Number of voters on the electoral roll		Number of votes polled.	Name of member or members returned.	Percentage of votes polled to total number of electors.	Remarks.
		Male.	Female.				
1	2	3	4	5	6	7	8
Murshidabad (Non-Muhammadan).	Maharaj Kumar Sris Chandra Nandy Sarat Chandra Pandit Braja Bhusan Gupta Bibaran Chandra Das	16,943	1,491	6,564 23 4,308 80	Maharaj Kumar Sris Chandra Nandy.	60·1	
Jessore South (Non-Muhammadan).	Dhirendra Nath Roy	10,591	136	.	Dhirendra Nath Roy	....	Returned unopposed.
Jessore North (Non-Muhammadan).	Bhabendra Chandra Roy Rai Jadunath Mazumdar Bahadur, C.I.E.	11,508	214	559 1,266	Rai Jadunath Mazumdar Bahadur, C.I.E	16·16	
Khulna (Non-Muhammadan) ..	Nagendra Nath Sen Subodh Kumar De Mukundabihari Mallik	23,416	399	3,544 2,283 2,666	Nagendra Nath Sen ..	36·09	
Dacca Rural (Non-Muhammadan).	Kiran Sankar Roy Atul Chandra Gupta Rajani Kanta Das	24,864	782	4,351 249 1,771	Kiran Sankar Roy ..	25·29	
Mymensingh West (Non-Muhammadan).	Amarendra Nath Ghose Manmohan Neogi ..	10,867	248	3,629 1,760	Amarendra Nath Ghose	49·2	
Mymensingh East (Non Muhammadan).	Nalinranjan Sarker Jatindra Krishna Choudhuri	21,277	635	7,416 1,907	Nalinranjan Sarker	43.	
Faridpur North (Non-Muhammadan).	Dr Kumud Sankar Ray Binode Lal Bhadra Kabiraj Pandit Sudhindra Nath Sen.	12,882	147	4,243 1,094 762	Dr Kumud Sankar Ray ..	38·6	
Faridpur South (Non-Muhammadan).	Surendra Nath Biswas Dr. Mohini Mohan Das Bhismadeb Das .. Ramanikanta Das	16,061	271	3,758 23 1,658 16	Surendra Nath Biswas ..	33·6	
Bakarganj North (Non-Muhammadan).	Deb Kumar Rai Chaudhuri Saral Kumar Dutta	15,340	446	3,478 4,139	Saral Kumar Dutta ..	48·4	
Bakarganj South (Non-Muhammadan).	Rai Satyendra Nath Roy Chaudhuri Bahadur Upendra Nath Edbar S. K. De	13,751	207	3,460 2,966 15	Rai Satyendra Nath Roy Chaudhuri Bahadur.	46·6	

Chittagong (Non-Muhammadan)	J. M. Sen Gupta	13,028	237	4,645	J. M. Sen Gupta ..	36·1	
	Sukhendu Bikash Roy	..	..	130			
Tippera (Non-Muhammadan) ..	Akhil Chandra Datta .	13,441	173	3,226	Akhil Chandra Datta ..	25·4	
	Dwijadas Datta . .			85			
	Rai Prasanna Kumar Das Gupta Bahadur.	..	..	109			
Noakhali (Non-Muhammadan)	Monmohan Kanjilal .	7,249	107	2,289	Satyendra Kumar Ghosh Maulik.	66·37	
	Satyendra Kumar Ghosh Maulik.	.	.	2,538			
Rajshahi (Non-Muhammadan) ..	Sachindra Narayan Sanyal .	10,305	562		Sachindra Narayan Sanyal ..	....	Returned unopposed.
Dinajpur (Non-Muhammadan)	Jogindra Chandra Chakravarti	24,150	289	8,081	Jogindra Chandra Chakravarti	43·3	
	Raja Tanka Nath Choudhuri			2,440			
Rangpur West (Non-Muhammadan).	Nagendra Narayan Ray	14,992	259	4,055	Nagendra Narayan Ray ..	48·57	
	Nalini Mohan Roy Choudhuri	..		3,222			
Rangpur East (Non-Muhammadan).	Rai Sahib Panchanan Barma	9,310	201	1,835	Jatindranath Chakraburtty ..	45·29	
	Jatindranath Chakraburtty .	.	.	2,420			
Bogra cum Pabna (Non-Muhammadan).	Jogendra Nath Moitra .	14,567	648	5,408	Jogendra Nath Moitra ..	38·25	
	Jogesh Chandra Bhaumik .	.		323			
	Rai Radhika Bhusan Roy Bahadur.	.		21			
Malda (Non-Muhammadan) ..	Romes Chandra Bagchi ..	10,126	271	3,012	Romes Chandra Bagchi ..	42·4	
	Tarinidas Ray . .	.	.	1,317			
Jalpaiguri (Non-Muhammadan)	Prosanna Deb Raikat ..	10,653	299	..	Prosanna Deb Raikat ..	....	Returned unopposed.
Calcutta North (Muhammadan)	Sir Abdur Rahim, K.C.S.I.	1,908	158	641	Sir Abdur Rahim, K.C.S.I. ..	32	
	Khan Bahadur Shaikh Mahboob Ali.	.	.	4			
	Abdul Jabbar Pahlowan .	..	.	1			
	Muhammad Abdur Rajack ..	.		3			
Calcutta South (Muhammadan)	M. Abdur Rajack	2,086	294	2	H. S. Suhrawardy ..	39	
	Shamsul Huque	..	.	182			
	H. S. Suhrawardy ..	..	..	728			
Hooghly cum Howrah Municipal (Muhammadan).	Masumally	3,406	915	561	Abdul Razak Hajee Abdool Sattar.	41·9	
	Qutbuddin Ahmed ..	..	..	379			
	Abdul Razak Hajee Abdool Sattar	..	..	826			
	Khan Bahadur Sheikh Mahboob Ali.	..	..	6			
Barrackpore Municipal (Muhammadan).	H. S. Suhrawardy ..	3,034	565	1,032	Muhammad Solaiman ..	62	
	Muhammad Solaiman ..	..	..	1,162			
24-Parganas Municipal (Muhammadan).	Gholam Hossain Shah ..	2,651	134	544	Gholam Hossain Shah ..	20·3	
	Mahabubul Haque ..	..	..	18			

Nature and name of constituency.	Candidates nominated.	Number of voters on the electoral roll.		Number of votes polled.	Name of member or members returned.	Percentage of votes polled to total number of electors.	Remarks.
		Male.	Female.				
1	2	3	4	5	6	7	8
Dacca City (Muhammadan) ..	Nawab Khwaja Habibullah ..	1,413	192	..	Nawab Khwaja Habibullah ..	....	Returned unopposed.
Burdwan Division North (Muhammadan).	Muhammad Yasin Modassur Hossain Abdul Kasem ..	15,547	643	2,199 1,530 3,326	Abdul Kasem	44·4	
Burdwan Division South (Muhammadan).	Dr A. Suhrawardy .. Abul Karim .. .. Zanoor Ahmed	10,901	292	877 2,636 117	Abdul Karim	33·1	
24-Parganas Rural (Muhammadan).	Dr A. Suhrawardy . Ghulam Jilani Khan .. A. F. M Abdur Rahman .. Mohamed Saadatullah ..	14,269	51	30 602 3,064 26	A. F. M. Abdur Rahman ..	26·6	
Nadia (Muhammadan) ..	Khan Bahadur Azizul Haque Shamsuddin Ahmed ..	19,102	340	4,456 2,599	Khan Bahadur Azizul Haque	36·45	
Murshidabad (Muhammadan) ..	Khan Bahadur Fazlul Huq . Abdus Samad .. Kazi Faizuddin Mian .. Khan Bahadur Ekramul Huq	12,248	314	484 1,991 831 2,566	Khan Bahadur Ekramul Huq	47·3	
Jessore North (Muhammadan).	Rafiuddin Ahmed .. Syed Majid Baksh .. Syed Abdur Rauf ..	9,379	42	826 865 1,572	Syed Abdur Rauf ..	35·51	
Jessore South (Muhammadan)	Syed Nausher Ali . Syed Jalaluddin Hashemy	17,341	59	4,223 389	Syed Nausher Ali	26·94	
Khulna (Muhammadan) ..	Sardar Ahmedali . Khan Muhammad Resaunulla Shamsur Rahman .	18,409	100	146 1,456 3,061	Shamsur Rahman	25·62	
Dacca West Rural (Muhammadan).	Abdul Gani Chaudhuri .. Abdul Latif Biswas . Raihanuddin Ahmed	7,179	73	825 1,753 911	Abdul Latif Biswas ..	48·80	
Dacca East Rural (Muhammadan).	Razaur Rahman Khan .. Abdul Manna	17,071	64	3,950 1,523	Razaur Rahman Khan ..	32·51	

Mymensingh North-West (Muhammadan).	Gyasuddin Ahmad ..	12,439	86	832	Azizur Rahaman Khan ..	47·2	
	Khosh Muhammad Chaudhuri	..	.	678			
	Md. Abdul Jabbar Pahlowan ..	..	..	732			
	Md. Abdus Samad ..	..	..	1,557			
	Azizur Rahaman Mia ..	..	.	1,995			
Mymensingh South-West (Muhammadan).	The Hon'ble Hadji Mr. A. K. A. A. K. Ghuznavi.	11,896	70	5,134	The Hon'ble Hadji Mr. A. K. A. A. K. Ghuznavi.	53·5	
	Lieutenant Syed Muhammed Hosain Chaudhuri	..	..	1,038			
	Alauddin Talukdar ..	.	.	68			
Mymensingh East (Muhammadan)	Syed Muhammad Atiqullah ..	17,066	75	2,592	Syed Muhammad Atiqullah ..	29·5	
	Abdul Hamid Shah .	.		2,400			
Mymensingh Central (Muhammadan).	Khan Bahadur Muhammad Ismail.	24,003	152	6,677	Khan Bahadur Muhammad Ismail	40·8	
	Abdul Hakim Mukteer .	..		3,014			
	Dewan Abdul Alim	..	.	33			
Faridpur North (Muhammadan)	Chaudhuri Muazzem Ali Biswas	17,021	249	1,023	Tamizuddin Khan.. ..	45·7	
	Tamizuddin Khan . ..			6,794			
Faridpur South (Muhammadan)	Syed Abdur Rob Chaudhuri .	15,200	43	588	Choudhury Gholam Mawla ..	23·8	
	Chaudhuri Fazlul Huq ..	.		11			
	Choudhury Gholam Mawla ..	.	.	3,015			
Bakarganj North (Muhammadan)	Khorshed Alam Choudhuri *alias* Kalu Mia.	21,360	105	..	Khorshed Alam Choudhuri *alias* Kalu Mia.	....	Returned unopposed.
Bakarganj West (Muhammadan)	Syed Muhammad Afzal .	22,789	104	2,728	Syed Muhammad Afzal ..	28·9	
	Hasemali Khan .	..	.	1,967			
	Haji Chaudhuri Muhammad Ismail Khan	..	.	108			
	Mahafijuddin Ahmed .	.	..	1,748			
Bakarganj South (Muhammadan)	Khwaja Nazimuddin, C I E. ..	17,187	51	..	Khwaja Nazimuddin, C I E. ..	....	Returned unopposed.
Chittagong North (Muhammadan).	Nurul Haque Chaudhuri ..	13,446	220	1,479	Syed Makbul Husain ..	41·2	
	Syed Maqbul Husain ..	.	.	3,713			
	Abdul Karim	..		346			
Chittagong South (Muhammadan	Khan Sahib Abdus Sattar ..	14,821	67	5,537	Khan Sahib Abdus Sattar ..	47·2	
	Amanat Khan .	..	..	1,167			
Tippera North (Muhammadan)..	Khan Bahadur K. G. M Faroqui	9,919	42	2,147	Khan Bahadur K. G. M. Faroqui	40·05	
	Kazi Muzaffar Ahmed .	..	..	135			
	Abdul Ghani Chaudhuri ..	..	..	288			
	Ashrafuddin Chaudhuri ..	..	..	1,377			
Tippera South (Muhammadan)	Nawab Musharruf Hosain, Khan Bahadur.	10,256	52	1,980	Asimuddin Ahamad ..	47·1	
	Syed Osman Hyder Chaudhuri	..	..	777			
	Aftabul Islam	..	..	50			
	Asimuddin Ahamad ..	..	..	1,987			

Nature and name of constituency.	Candidates nominated.	Number of voters on the electoral roll		Number of votes polled.	Name of member or members returned.	Percentage of votes polled to total number of electors.	Remarks.
		Male	Female.				
1	2	3	4	5	6	7	8
Noakhali East (Muhammadan)	Nawab Musharruf Hosain, Khan Bahadur Mohamed Sadeque Amin Ahmed Sultan Ahmed	8,245	253	1,020 1,973 604 1,201	Mohamed Sadeque	61·17	
Noakhali West (Muhammadan)	Obaidulla Abdul Gofran Haji Abdur Rashid Khan	8,693	146 . ..	309 2,948 1,801	Abdul Gofran	68·2	
Rajshahi South (Muhammadan)	Sardar Haji Lal Muhammad Khan Bahadur Emaduddin Ahmed.	9,683 ..	124 ..	1,909 2,535	Khan Bahadur Emaduddin Ahmed.	45·8	
Rajshahi North (Muhammadan)	Asraf Ali Khan Chaudhuri	15,971	149	.	Asraf Ali Khan Chaudhuri	....	Returned unopposed.
Dinajpur (Muhammadan)	Kader Baksh Muhammad Timur	27,880 .	122 ..	7,031 667	Kader Baksh	28·3	
Rangpur West (Muhammadan)	Basar Muhammad Kasiruddin Ahamad	20,914 ..	82 ..	1,940 4,052	Kasiruddin Ahamad	29·56	
Rangpur East (Muhammadan)	Kazi Emdadul Haque Abdul Hafez Mia	19,572 ..	124 .	3,107 2,000	Kazi Emdadul Haque	26·21	
Bogra (Muhammadan)	Rajibuddin Tarafdar Altaf Ali Muhammad Ishaq	16,648	133	2,414 2,776 1,689	Altaf Ali	42	
Pabna (Muhammadan)	Sayed Akbar Ali Khan Sahib Muazzam Ali Khan.	14,040 ..	183 .	2,561 2,646	Khan Sahib Muazzam Ali Khan.	37·6	
Malda cum Jalpaiguri (Muhammadan).	Badiojjama Gomasta Idris Ahmed Mian Nawab Musharruf Hosain, Khan Bahadur. K. Ahmed	17,939	235	1,183 1,671 2,853 1,572	Nawab Musharruf Hosain, Khan Bahadur.	41·12	
Presidency and Burdwan (European).	J. Campbell Forrester W. C. Wordsworth F. E. James, O.B.E.	12,194	453	.. .. ..	J. Campbell Forrester W. C. Wordsworth F. E. James, O.B.E.	....	Returned unopposed.

Dacca and Chittagong (European)	J. E. Ordish	262	7		J. E. Ordish	....		Returned unopposed.
Rajshahi (European)	W. L. Travers, C.I.E., O.B.E.	464	3		W. L. Travers, C.I.E., O.B.E.	....		Ditto.
Anglo-Indian	E. T. McCluskie	4,029	381	915	E. T. McCluskie		35·8	
	L. T. Maguire			1,163	L. T. Maguire			
	Dr. E. S. Pashong			419				
	H. S. Barton			592				
Burdwan landholders	Abaniah Chandra Roy	109	17	24	Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.		78·5	
	Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.			74				
Presidency landholders	Sir P. C. Mitter, Kt., C.I.E.	159	6	95	Sir P. C. Mitter, Kt., C.I.E.		68·2	
	Sailaja Nath Roy Chaudhuri							
	Sushil Chandra Mitter							
Dacca landholders	The Hon'ble Raja Manmatha Nath Roy Chaudhuri, of Santosh.	300	12	163	The Hon'ble Raja Manmatha Nath Roy Chaudhuri, of Santosh		81·4	
	Rai Jogendra Chandra Ghosh Bahadur.			2				
	Priyanath Roy			56				
Chittagong landholders	Nagendra Nath Roy Choudhuri	102	7	36	Saroda Kripa Lala		93·3	
	Saroda Kripa Lala			42				
	Syed Osman Haider Chaudhuri			32				
Rajshahi landholders	Maharaja Jogindra Nath Ray, of Nator.	219	11	122	Maharaja Jogindra Nath Ray, of Nator.		75·2	
	Kumar Shib Shekhareswar Roy			48				
Calcutta University	Sarat Chandra Basu	7,861	25	3,817	Sarat Chandra Basu		74·3	
	Sir Nilratan Sarkar			2,007				
	Profulla Kumar Chakrabarti			2				
Dacca University	Maharaja Sashi Kanta Acharyya Chaudhuri Bahadur, of Muktagacha.	1,575	2	826	Maharaja Sashi Kanta Acharyya Chaudhuri Bahadur, of Muktagacha		95·2	
	A. F. Rahman			658				
Bengal Chamber of Commerce	R. B. Wilson, C.I.E.	213			R. B. Wilson, C.I.E.	....		Returned unopposed.
	J. Y. Philip				J. Y. Philip	....		Ditto.
	R. H. Child				R. H. Child	....		Ditto.
	G. Morgan				G. Morgan	....		Ditto.
	S. A. Skinner				S. A. Skinner	....		Ditto.
	A. K. Faulkner				A. K. Faulkner	....		Ditto.
Indian Jute Mills Association	R. B. Laird	52			R. B. Laird	....		Returned unopposed.
	C. G. Cooper				C. G. Cooper	....		Ditto.
Indian Tea Association	T. C. Crawford	358			T. C. Crawford	....		Ditto.
Indian Mining Association	J. A. Jennaway	118			J. A. Jennaway	....		Ditto.
Calcutta Trades Association	T. J. Phelps	54			T. J. Phelps			Ditto.

Nature and name of constituency.	Candidates nominated.	Number of voters on the electoral roll.		Number of votes polled.	Name of member or members returned.	Percentage of votes polled to total number of electors.	Remarks.
		Male	Female.				
1	2	3	4	5	6	7	8
Bengal National Chamber of Commerce.	Amulya Dhan Addy ..	243	..	43	The Hon'ble Mr. Byomkes Chakravarti.	96	
	W. C. Banerjea ..	..	..	14	Satish Chandra Sen	....	
	The Hon'ble Mr. Byomkes Chakravarti.	.	..	128			
	Surendra Nath Law ..	..	..	69			
	Jogendra Nath Roy ..	..	..	74			
	Satish Chandra Sen ..	..	..	110			
Bengal Marwari Association .	Rai Badridas Goenka Bahadur	194	..	..	Rai Badridas Goenka Bahadur	....	Returned unopposed.
Bengal Mahajan Sabha .	Ananda Mohan Poddar ..	172	..	..	Ananda Mohan Poddar ..	....	Ditto.

B

Legislative Assembly.

Calcutta (Non-Muhammadan) ..	Nirmal Chunder Chunder ..	11,231	2,530	3,640	Nirmal Chunder Chunder ..	36	
	Rai Lalit Kumar Mitra ..	..	..	1,293			
Calcutta Suburbs (Non-Muhammadan).	Tulsi Chandra Goswami .	22,170	4,599	8,490	Tulsi Chandra Goswami ..	37	
	Narendra Nath Sett ..	..	..	1,109			
Burdwan Division (Non-Muhammadan).	Amar Nath Dutt	34,546	1,632	..	Amar Nath Dutt	....	Returned unopposed.
Presidency Division (Non-Muhammadan).	Hemanta Kumar Sarkar ..	25,907	1,624	4,558	Bhabendra Chandra Roy ..	37·11	
	Bhabendra Chandra Roy ..	..	..	5,167			
Dacca Division (Non-Muhammadan).	Kshitish Chandra Neogy ..	25,912	1,027	6,801	Kshitish Chandra Neogy ..	43·8	
	Pritbis Chandra Roy ..	..	..	2,826			
Chittagong and Rajshahi Divisions (Non-Muhammadan).	Satyendra Chandra Mitra ..	25 381	907	..	Satyendra Chandra Mitra ..	....	Returned unopposed.

Calcutta and Suburbs (Muhammadan).	Abul Kasem	5,184	1,357	1,013	Dr. A. Suhrawardy ..	39	Has chosen Burdwan and Presidency Divisions Muhammadan constituency.
	Dr. A. Suhrawardy ..	..	..	1,405			
Burdwan and Presidency Divisions (Muhammadan).	Aftab Hossein Joardar ..	14,004	402	1,922	Dr. A. Suhrawardy ..	40·51	
	Dr. A. Suhrawardy ..	..	..	2,500			
	Syed Abdul Fazel ..	..	..	1,189			
Dacca Division (Muhammadan)	Abul Halim Ghuznavi ..	17,804	312	5,759	Abul Halim Ghuznavi ..	46·1	
	Khwaja Abdul Karim	..	..	2,043	Haji Chaudhuri Mahomed Ismail Khan.		
	Haji Chaudhuri Mahomed Ismail Khan.	..	..	6,061			
	Mahafuzuddin Ahmed ..	..	..	510			
	Kazi Nazrul Islam ..	..	..	1,062			
Chittagong Division (Muhammadan).	Anwarul Azim	9,532	230	3,406	Anwarul Azim	59 2	
	Asad Ali	..	..	597			
	Ikramul Huq	..	..	1,488			
	Fazlur Rahman	..	..	175			
Rajshahi Division (Muhammadan).	K. Ahmed	14,320	175	4,865	K. Ahmed	45 48	
	Mahiuddin Khan	..	..	1,552			
Bengal (European)	Arthur Moore	2,540	17	.	Arthur Moore	....	Returned unopposed.
	Sir Darcy Lindsay ..	..	..	.	Sir Darcy Lindsay		
	Colonel J. W. Crawford .	..	..	..	Colonel J. W. Crawford.		
Bengal landholders ..	Saradindu Mukharji ..	618	44	82	Dhirendra Kanta Lahiri Choudhuri.	76·1	
	Surendra Chandra Ghosh ..	..	..	50			
	Dhirendra Kanta Lahiri Choudhuri.	..	..	366			
Bengal Mahajan Sabha ..	Rai Tarit Bhusan Roy Bahadur.	172	..	.	Rai Tarit Bhusan Roy Bahadur	....	Returned unopposed.

Election to the Bengal Legislative Council.

101. Rai JADUNATH MAZUMDAR Bahadur: Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*a*) the total number of voters for the Bengal Council (*i*) Non-Muhammadan (both male and female), and (*ii*) Muhammadan (both male and female);

(*b*) the number of voters, exercising their right of voting at the last election (*i*) Non-Muhammadan (male and female), and (*ii*) Muhammadan (male and female)?

The Hon'ble Mr. A. N. MOBERLY: (*a*) The member is referred to the reply given to a similar question put by Mr. Kiran Sankar Roy in this session of the Council.

(*b*) Separate figures showing the number of male and female voters who exercised the franchise are not available.

Elections to the Bengal Legislative Council and the Legislative Assembly.

102. Srijut TARAKNATH MUKERJEA: Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement regarding the last general elections in Bengal for the Bengal Council and the Assembly showing—

(*i*) a list of all the different constituencies;

(*ii*) the total number of voters in each of it;

(*iii*) the names of the candidates nominated for election in each constituency;

(*iv*) the number of voters who actually recorded their votes in each constituency;

(*v*) the number of voters recorded in favour of each of the candidates in each constituency;

(*vi*) the name of the successful candidate in each constituency; and

(*vii*) the percentage of votes recorded in each constituency?

The Hon'ble Mr. A. N. MOBERLY: The member is referred to the reply given to a similar question put by Mr. Kiran Sankar Roy in this session of the Council.

Bail granted to persons convicted by the Magistrates of Malda.

103. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of persons convicted and sentenced to imprisonment by first class Magistrates, both stipendiary and honorary, in the district of Malda from 1st April to 31st December, 1926;

(*ii*) how many of such convicted persons appealed to the Sessions Judge of Rajshahi and Malda, and obtained bail pending the disposal of their appeal within ten days from the date on which they were convicted and sentenced to imprisonment;

(*iii*) what time was taken in transmitting the order of the Sessions Judge, granting bail, to the District Magistrate of Malda in each particular case;

(*iv*) in how many of these cases it was found that the prisoners had been sent away to Dinajpur Jail before the said orders of the Sessions Judge had reached; and

(*v*) how many days elapsed (in each particular case) between the granting of bail by the Sessions Judge and the actual discharge of prisoners from the Jail?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*i*) 172

(*ii*) 37.

(*iii*) Orders granting bail were issued to the District Magistrate on the very day they were passed by the District Judge. They are generally sent by post and take three days to reach the District Magistrate's office.

(*iv*) 28.

(*v*) A statement is laid on the library table. In one case the prisoner was released ten days after the receipt of the order, as the prisoner delayed in producing the necessary bond.

Alleged contributions by gun licensees to meet the cost of Khulna Agricultural and Industrial Exhibition.

104. Babu NAGENDRA NATH SEN: (*a*) Is the Hon'ble Member in charge of the Police Department aware of moneys having been realised from persons applying for renewal of gun licenses, to meet the cost of the Khulna Agricultural and Industrial Exhibition?

(*b*) Is it a fact that the Exhibition Committee received collections of moneys from the Sadar Subdivisional Officer of Khulna?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what is the amount;

(*ii*) from whom they have been collected; and

(*iii*) how many of them are from gun licenses?

The Hon'ble Mr. A. N. MOBERLY: (*a*) It is not a fact that contributions to meet the cost of the Khulna Agricultural and Industrial Exhibition were demanded from persons applying for renewal of gun licenses.

(*b*) Yes.

(*c*) (*i*) Rs. 2,063.

(*ii*) The number of persons who contributed this amount is 93. The majority of them are men of standing in the subdivision, and they contributed as members of the public and not as gun licensees.

(*iii*) Government have not got this information.

Officers employed in the Paper Book Department of the High Court.

105. Babu MANMATHANATH ROY: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing for the years 1921-26—

(*i*) the officers employed in the Paper Book Department of the High Court with their respective salaries and their University qualifications;

(*ii*) the number and names of persons paid by fees received from that department on piece-system; and

(*iii*) the number and names of persons requisitioned from other departments for the work of the paper book?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing the pay and commission, if any, of the employees of the Paper Book Department, that have been debited to the expenditure account of that department?

(*c*) Will the Hon'ble Member be pleased to lay on the table a statement showing separately for the years 1921-26—

(*i*) the total number of appeals in each year;

(*ii*) the number of appeals from Original Decree valued (*a*) above, and (*b*) below, Rs. 10,000, respectively;

(*iii*) the number of appeals from Original Order;

(*iv*) the number of second appeals valued (*a*) above, and (*b*) below, Rs. 50, respectively;

(*v*) the number of Privy Council appeals; and

(*vi*) the respective amounts of court-fees received in respect of above appeals?

(*d*) Will the Hon'ble Member be pleased to lay another statement showing for the years 1921-26—

(*i*) the amounts realised in the Paper Book Department of the High Court in Appeals from Original Decree and Appeals from Original Orders and Privy Council Appeals under the following heads: (A) Translation and examination of vernacular papers; (B) Copying and comparing of English papers; (C) Printing and editing; and (D) Lithography; and

(*ii*) the amounts realised from the sale-proceeds of the Paper-books of Second Appeals?

The Hon'ble Mr. A. N. MOBERLY: (*a*), (*b*), (*c*) and (*d*) Four statements are laid on the table.

(*a*) (*iii*) No persons from other departments have drawn pay debitable to the Paper Book Department on account of their being requisitioned to do the work of that department.

(*b*) In addition to the pay of the permanent and temporary staff shown above in reply to question 2 (*a*) (*i*), the pay of 8 menials at Rs. 11 per mensem during the years 1921 and 1922 and of 7 menials at Rs. 11 during the year 1923 and at Rs. 15 during the years 1924, 1925 and 1926, has been debited to the expenditure account of the Paper Book Department. No commission is paid to any of the employees of the department. The actual cost is shown below:—

ACTUAL COST.

Years.	Permanent.	Temporary.
	Rs.	Rs.
1921	....	45,100
1922	20,116	43,027
1923	22,454	24,556
1924	25,244	21,301
1925	26,475	22,352
1926	27,490	23,188

[NOTE.—During the year 1921, the Paper Book Department did not form a separate entity. The preparation of Paper-books in Second

Appeals has, for many years, been undertaken in the Court's office, the staff employed belonging to Judicial Department. When in 1920, it was decided that all Paper-books in Civil Appeals should be prepared in the Court's office, the sanction of Government was obtained to the creation of several temporary posts to deal with the extra work. The temporary posts thus created formed an additional staff of the Judicial Department. The Paper Book Department Proper came into being in the year 1922; but only the newly-created posts were formally transferred to it, the former permanent posts dealing with Second Appeals remaining with the Judicial Department, where provision for them existed under the budget allotment for the Court's regular permanent establishment. Under the reorganisation of the Appellate Side establishment on the recommendation of the High Court Retrenchment Committee during the year 1923, the portion of the permanent staff of the Judicial Department which previously dealt with Second Appeal Paper-books as also the entire staff of translators, some of whom had been employed outside the Paper Book Department upon criminal or bench work, were formally transferred from the Judicial Department to the Paper Book Department in order to form a self-contained establishment for the preparation of paper-books in all civil appeals. The post of the Assistant Registrar was also made permanent with effect from July, 1923, on the understanding that he would be placed in charge of the Accounts Department, supervision over which was formerly exercised by the Registrar, and that only a moiety of his pay would be debited to the expenditure account of the Paper Book Department. The officer recruited from the Bengal Provincial Service for the post of the Assistant Registrar reverted to his regular line, and the post of the Assistant Registrar was filled by an officer of the Court. The expenditure account of the Paper Book Department was, in fact, debited with the cost of the temporary staff only during the years 1921 and 1922.]

(c) (m) There are no registers from which this information could be obtained. Reference would have to be made to the appeals themselves, and this would involve the employment of an additional staff and expenditure of much time and labour.

(d) Accounts are not maintained according to the detailed heads of estimates on which costs of preparation of paper-books are realised from the parties. The total amounts of the estimated costs deposited by the parties, either in lump or by instalments, are credited in the respective ledger accounts of the appeals concerned, out of which all expenditure on account of the cost of preparation of paper-books is met.

The total amounts realised in the Paper Book Department in Appeals from Original Decrees, Appeals from Original Orders, and Privy Council Appeals are shown below:—

Years.	R. A.			M. A.			P. C. A.		
	Rs.	AS	P.	Rs.	AS.	P.	Rs.	AS.	P.
1921 ...	52,020	0	0	9,461	11	8	15,544	0	0
1922 ...	1,39,259	13	1	13,849	11	10	22,419	10	0
1923 .	1,38,773	2	3	16,766	1	1	6,982	0	0
1924	1,32,938	11	0	19,848	7	8	15,617	2	0
1925 .	1,59,903	2	0	23,030	3	10	11,912	1	9
1926 .	1,34,874	10	6	19,753	9	10	20,039	15	5

The sale-proceeds of paper-books during the years 1921 to 1926 is given below:

Years.	Amounts.		
	Rs.	AS.	P.
1921 .	27	10	0
1922 .	723	6	0
1923 ..	1,864	12	9
1924	1,784	2	0
1925 ..	2,368	0	0
1926 ...	1,661	0	0

Statement referred to in clause (a) (i) of Unstarred Question No. 105.

1921

1 Assistant Registrar recruited from the Bengal Provincial Service (Judicial) on his grade pay. Actual pay drawn at Rs. 750 up to 10th November, 1921, at Rs. 800 from 11th November, 1921.

4 Editors at Rs. 250 each (2 from 1st January 1921; 1 from 9th March, 1921, and 1 from 22nd May, 1921).

23 Assistants—1 on Rs. 200; 2 on Rs. 175 each (1 from 1st January, 1921, and the other from 9th March, 1921); 2 on Rs. 150 each (1 from 1st January, 1921, and the other from 7th June, 1921); 2 on Rs. 125 each (1 from 9th March, 1921, and the other from 7th June, 1921); 14 on Rs. 50 each (6 from 1st January, 1921, and 8 from 9th March, 1921); 2 on Rs. 45 each from 9th June, 1921.

In addition to the above temporary staff, a permanent staff consisting of a number of translators and assistants of the Judicial Department, who had formerly dealt with the preparation of paper-books in Second Appeals under the old system, continued to be employed in the preparation of paper-books in such appeals. But as the pay of these men was drawn in the permanent establishment of the Court, and as the work was not restricted to any of them throughout the year, it is not possible to state the salaries drawn by them.

1922

Permanent staff—6 examiners of translation on a time-scale pay of Rs. 150—10—250 (2 on Rs. 200; 1 on Rs. 170; 2 on Rs. 160; 1 on Rs. 150, with increments falling due during the year).

9 Assistants in the lower division time-scale pay of Rs. 50—3—125 (2 on Rs. 115; 3 on Rs. 56; 4 on Rs. 53.)

Temporary staff—1 Assistant Registrar at Rs. 800 up to 13th June, 1922, at Rs. 600 from 14th June, 1922, to 2nd October, 1922, at Rs. 650 from 3rd October, 1922.

4 Editors at Rs. 250 each.

23 Assistants (1 at Rs. 200 up to 31st July, 1922, and then abolished; 2 at Rs. 175; 2 at Rs. 150; 1 at Rs. 125; 1 at Rs. 125 up to 31st July, 1922, and then at Rs. 80; 14 at Rs. 50; 2 at Rs. 45).

1923

Permanent staff—1 Assistant Registrar at Rs. 200 with effect from 3rd July, 1923. (The post of the Assistant Registrar has been made permanent on a pay of Rs. 400—25/2—450 with effect from 3rd July, 1923, and only a moiety of his pay is to be debited to the Paper Book Department).

6 Examiners of translation on a time-scale pay of Rs. 150—10—250 (2 on Rs. 210; 1 on Rs. 180; 2 on Rs. 170; 1 on Rs. 160; with increments falling due during the year).

9 Assistants in the lower division time-scale pay of Rs. 50—3—125 (2 on Rs. 120; 3 on Rs. 59; 4 on Rs. 56).

Temporary staff—1 Assistant Registrar at Rs. 650 up to 2nd July, 1923.

2 Editors at Rs. 250 each.

20 Assistants (2 at Rs. 150 up to 31st May, 1923, and then replaced by 2 Assistants at Rs. 45 from 1st June, 1923; 1 at Rs. 125; 1 at Rs. 80; 13 at Rs. 50; 1 at Rs. 50 up to 17th June, 1923, and then replaced by 1 Assistant at Rs. 45 from 18th June, 1923; 2 at Rs. 45).

1924

Permanent staff—1 Assistant Registrar at Rs. 200.

6 Examiners of translation on a time-scale pay of Rs. 150—10—250 (2 on Rs. 220; 1 on Rs. 190; 2 on Rs. 180; 1 on Rs. 170; with increments falling due during the year).

9 Assistants in the lower division time-scale pay of Rs. 50—3—125 (2 on Rs. 125; 3 on Rs. 62; 4 on Rs. 59)—three allowances of Rs. 20 each from 22nd April, 1924.

Temporary staff—2 Editors at Rs. 250 up to 31st March, 1924, and then at Rs. 260 from 1st April, 1924.

20 Assistants (1 at Rs. 125; 1 at Rs. 80 up to 31st March, 1924, and then at Rs. 83 from 1st April, 1924; 13 at Rs. 50 up to 31st March, 1924, and then at Rs. 53 from 1st April, 1924; 3 at Rs. 45; 2 at Rs. 45 up to 31st April, 1924, and at Rs. 50 from 1st May 1924—three allowances of Rs. 20 each from 22nd April, 1924).

1925

Permanent staff—1 Assistant Registrar at Rs. 200.

6 Examiners of translation on a time-scale pay of Rs. 150—10—250 (2 on Rs. 230; 1 on Rs. 200; 2 on Rs. 190; 1 on Rs. 180 with increments falling due during the year).

9 Assistants in the lower division time-scale pay of Rs. 50—3—125 (2 on Rs. 125; 3 on Rs. 65; 3 on Rs. 62; 1 on Rs. 62 up to 30th September, 1925, and at Rs. 74 from 1st October, 1925—three allowances of Rs. 20 each from 22nd April, 1924).

Temporary staff—2 Editors on a time-scale pay of Rs. 250—10—300 (both on Rs. 260 with increments falling due during the year).

1 Assistant on a fixed pay of Rs. 125.

19 Assistants in the lower division time-scale pay of Rs. 45—45—50—3—125 (1 on Rs. 83; 13 on Rs. 53; 2 on Rs. 50; 2 on Rs. 45 up to 31st May, 1925, and Rs. 50 from 1st June, 1925; 1 on Rs. 45—three allowances of Rs. 20 each from 22nd April, 1924).

1926

Permanent staff—1 Assistant Registrar at Rs. 200.

6 Examiners of translation on a time-scale pay of Rs. 150—10—250 (2 on Rs. 240; 1 on Rs. 210; 2 on Rs. 200; 1 on Rs. 190 with increments falling due during the year).

9 Assistants in the lower division time-scale pay of Rs. 50—3—125 (1 on Rs. 125 up to 30th November, 1926, and then replaced by an assistant on Rs. 45 from 1st December, 1926; 1 on Rs. 125; 1 on Rs. 77; 3 on Rs. 68; 3 on Rs. 65—three allowances of Rs. 20 each from 22nd April, 1924).

Temporary staff—2 Editors on a time-scale pay of Rs. 250—10—300 (1 on Rs. 270; 1 on Rs. 270 up to 19th March, 1926, and then replaced by another at Rs. 250 up to 26th August, 1926, and then at Rs. 270 with increments falling due during the year).

1 Assistant on a fixed pay of Rs. 125.

19 Assistants in the lower division time-scale pay of Rs. 45—45—50—3—125 (1 on Rs. 86; 12 on Rs. 56; 2 on Rs. 53; 2 on Rs. 50 and 2 on Rs. 45—three allowances of Rs. 20 each from 22nd April, 1924).

Of the above staff two are M.A., B.Ls., two M.As., one B.A., B.L., and eight B.As.

Statement A referred to in clause (a) (ii) of Unstarred Question No. 105.

NAMES OF THE VAKILS WHO UNDERTAKE TRANSLATIONS OF VERNACULAR PAPERS IN CIVIL APPEALS.

1.	Babu Surendra Nath Bose, No. II	Since 1922.
2.	Babu Jitendra Kumar Sen Gupta	Since 1922.
3.	Babu Jyotis Chandra Guha	Since 1922.
4.	Babu Bhudhar Halder	Since 1922.
5.	Babu Tarakeswar Nath Mitra	Since 1922.
6.	Babu Amulya Chandra Sen	Since 1922.
7.	Babu Surendra Nath Bose (Senior)	Since 1922.
8.	Babu Bansari Lal Sarkar	Since 1922.
9.	Babu Profulla Chandra Nag	Since 1922.
10.	Babu Pasupati Ghosh	Since 1922.
11.	Babu Benoyendra Nath Palit	Since 1922.
12.	Babu Urukramdas Chakrabutty	Since 1922.
13.	Babu Jatindra Mohan Chowdhury	Since 1922.
14.	Babu Priya Nath Dutta	Since 1922.
15.	Babu Satis Chandra Chowdhury	Since 1922.
16.	Babu Pramotha Nath Mitra	Since 1923.
17.	Babu Jatindra Nath Sanyal	Since 1923.
18.	Babu Mani Lal Bhattacharjya	Since 1923.
19.	Babu Surendra Mohan Ghosh	Since 1923.
20.	Babu Abinash Chandra Ghosh	Since 1923.
21.	Babu Durga Charan Roy Chowdhury	Since 1923.
22.	Babu Bipin Chandra Bose	Since 1923.
23.	Babu Sasadhar Roy (Senior)	Since 1923.
24.	Babu Narendra Nath Chowdhury	Since 1923.

25.	Babu Ban Behari Sarkar	Since 1923.
26.	Babu Satis Chandra Munsi	Since 1923.
27.	Babu Panna Lal Chatterjee	Since 1923.
28.	Babu Satis Chandra Chowdhury	Since 1923.
29.	Babu Jyotir Mohan Bhattacharjya	Since 1923.
30.	Babu Krishna Lal Banerjee	Since 1923.
31.	Babu Santimoy Mazumdar	Since 1923.
32.	Babu Birendra Kumar De	Since 1923.
33.	Babu Kanai Dhon Dutt	Since 1923.
34.	Babu Abani Nath Bhatcharyya	Since 1923.
35.	Babu Bhupendra Kumar Ghosh	Since 1923.
36.	Babu Mukunda Behari Mallick	Since 1923.
37.	Babu Hemendra Kumar Das	Since 1923.
38.	Babu Ramendra Mohan Mazumdar	Since 1923.
39.	Babu Benode Lal Mookherjee	Since 1923.
40.	Babu Gopal Chandra Das	Since 1923.
41.	Babu Dharmadas Set	Since 1923.
42.	Babu Pares Lal Shome	Since 1923.
43.	Babu Chandra Sekhar Sen	Since 1923.
44.	Babu Phanindra Lall Moitra	Since 1923.
45.	Babu Debendra Nath Bagchi	Since 1923.
46.	Babu Binode Lal Mukherjee	Since 1923.
47.	Babu Probodh Chandra Kar	Since 1923.
48.	Babu Sarat Chandra Mukherjee	Since 1923.
49.	Babu Charu Chandra Bhattacharyya	Since 1923.
50.	Babu Man Mohan Banerjee	Since 1923.
51.	Babu Nakuleswar Mukherjee	Since 1923.
52.	Babu Narendra Nath Set	Since 1923.
53.	Babu Bhupendra Chandra Guha	Since 1923.
54.	Maulvi Amiruddin Ahmed	Since 1923.
55.	Babu Charu Chandra Bhattacharyya	Since 1924.
56.	Babu Mohes Chandra Banerjee	Since 1924.
57.	Babu Lalit Mohan Moitra	Since 1924.
58.	Maulvi Mohammad Akram	Since 1924
59.	Syed Nawaber Ali	Since 1924.
60.	Syed Md. Soadulla	Since 1924.
61.	Babu Satyendra Kisor Ghosh	Since 1924.
62.	Babu Nripendra Chandra Das	Since 1924.
63.	Babu Probodh Kumar Das	Since 1924.
64.	Babu Indu Bhusan Roy	Since 1924.
65.	Babu Pares Chandra Mitra	Since 1924.
66.	Babu Jnan Chandra Roy	Since 1924.
67.	Babu Sisir Kumar Ghosal	Since 1924.
68.	Babu Saroj Kumar Chatterjee	Since 1924.
69.	Babu Kali Kinkar Chakraburtty	Since 1924.
70.	Babu Charu Chandra Chowdhury	Since 1924.
71.	Babu Samarendra Kumar Dutta	Since 1924.
72.	Babu Hemendra Kumar Das	Since 1924.
73.	Babu Dinesh Chandra Roy	Since 1924.
74.	Babu Bireswar Bagchi	Since 1924.
75.	Babu Sisir Kumar Ghosal	Since 1924.
76.	Babu Binode Lal Mukherjee	Since 1924.
77.	Babu Benoyendra Proshad Bagchi	Since 1924.
78.	Babu Harendra Nath Mukherjee	Since 1924.

79.	Babu Someswar P. Mukherjee	Since 1924.
80.	Babu Dwijendra Krishna Dutta	Since 1924.
81.	Babu Narendra Krishna Basu	Since 1924.
82.	Babu Raj Kumar Chakraburtty	Since 1924.
83.	Babu Annada Charan Karkoon	Since 1924.
84.	Babu Bankim Chandra Banerjee	Since 1924.
85.	Babu Sarat Chandra Mukherjee	Since 1924.
86.	Babu Surendra Kumar Das Gupta	Since 1924.
87.	Babu Charu Chandra Sen	Since 1924.
88.	Babu Someswar Mukherjee	Since 1924.
89.	Babu Bhagirath Chandra Das	Since 1924.
90.	Babu Surendra Mohan Ghosh	Since 1924.
91.	Babu Nikunja Behari Roy	Since 1924.
92.	Babu Subodh Chandra Roy Chowdhury	Since 1924.
93.	Babu Jyotish Ch. Guha	Since 1924.
94.	Babu Sachindra Kumar Roy	Since 1924.
95.	Babu Profulla Kamal Das	Since 1925.
96.	Babu Profulla Ch. Nag	Since 1925.
97.	Babu Parmanand Lahiri	Since 1925.
98.	Babu Harendra Nath Dutt	Since 1925.
99.	Babu Charu Chandra Sen	Since 1925.
100.	Babu Manmatha Nath Roy (Junior)	Since 1925.
101.	Babu Sajani Kant Nag	Since 1925.
102.	Babu Bhupendra Kishore Basu	Since 1925
103.	Babu Panchanan Chowdhury	Since 1925.
104.	Babu Kanai Lal Saha	Since 1925.
105.	Babu Navadwip Chandra Saha	Since 1925.
106.	Babu Arun Chandra Basu	Since 1925.
107.	Babu Bimal Chandra Das Gupta	Since 1925.
108.	Maulvi Mohammad Nural Huq Chowdhury	Since 1925.
109.	Babu Pares Chandra Sen	Since 1925.
110.	Babu Radhika Ranjan Guha	Since 1925.
111.	Babu Profulla Dhon Bose	Since 1925.
112.	Babu Phanindra Nath Das	Since 1925.
113.	Babu Krisna Kisor Basak	Since 1925.
114.	Babu Asita Ranjan Ghosh	Since 1925.
115.	Babu Sanat Kumar Chatterjee	Since 1925.
116.	Babu Jahnabi Chandra Das Gupta	Since 1925.
117.	Babu Rajendra Chandra Guha	Since 1925.
118.	Babu Debendra Nath Bhattacharyya	Since 1925.
119.	Babu Byomkes Basu	Since 1925.
120.	Babu Indu Prokas Chatterjee	Since 1925.
121.	Babu Ramani Mohan Chatterjee	Since 1925.
122.	Babu Satyendra Chandra Sen	Since 1926.
123.	Babu Apurba Charan Mukherjee	Since 1926.
124.	Babu Romes Chandra Pal	Since 1926.
125.	Babu Biraj Mohan Roy	Since 1926.
126.	Babu Mahendra Kumar Ghosh	Since 1926.
127.	Babu Hari Charan Banerji	Since 1926.
128.	Babu Subodh Chandra Dutta	Since 1926.
129.	Babu Gour Mohan Dutta	Since 1926
130.	Babu Hem Kumar Basu	Since 1926.
131.	Babu Kiran Mohan Sarkar	Since 1927.

BESIDES THE ABOVENAMED VAKILS THE FOLLOWING GENTLEMEN HAVE BEEN WORKING AS EXTRA VAKIL TRANSLATORS SINCE THE YEARS NOTED AGAINST THEM.

1.	Babu Syama Charan Moitra	25th May 1921.
2.	Babu Tarit Mohan Das	25th May 1921.
3.	Babu Nagendra Nath Bhattacharyya	25th May 1921.
4.	Babu Dhirendra Krishna Roy	25th May 1921.
5.	Babu Ajendra Nath Dutta	25th May 1921.
6.	Babu Nil Kanta Ghosh	25th May 1921.
7.	Babu Surja Kumar Aich	25th May 1921.
8.	Babu Nil Ratan Banerjee	25th May 1921.
9.	Babu Satis Chandra Bhattacharyya	25th May 1921.
10	Babu Hem Chandra Sen	25th May 1921.
11.	Babu Bhuban Mohan Saha	25th May 1921.
12.	Babu Indu Bhusan Mazumdar	2nd August 1922.
13.	Babu Satindra Nath Roy Chowdhury	2nd August 1922.
14.	Babu Asutosh Banerjee	2nd August 1922.
15.	Babu Khagendra Nath Mitter	2nd August 1922.
16.	Babu Nirod Bandhu Roy	2nd August 1922.
17.	Babu Manindra Nath Palit	2nd August 1922.
18.	Babu Promotha Nath Banerjee	2nd August 1922.
19.	Babu Prosanta Bhusan Gupta	2nd August 1922.
20.	Babu Panchanan Ghoshal	2nd August 1922.
21.	Babu Promotha Nath Mukherjee	2nd August 1922.
22.	Babu Binode Behari Mukherjee	2nd August 1922.
23.	Babu Sarodia Prosanna Roy	2nd August 1925.
24.	Babu Satindra Chandra Khasnabis	29th May 1926.
25.	Babu Satya Charan Chandra	29th May 1926.

Statement B referred to in the clause (a) (ii) of Unstarred Question No. 105.

LIST OF EXTRA TYPISTS EMPLOYED IN THE PAPER BOOK DEPARTMENT (PAID ON THE PIECE-SYSTEM AT THE RATE OF 1,200 WORDS PER RUPEE).

1. Babu Nibaran Chandra Paul.
2. Babu Nanda Lal Mukharji.
3. Maulvi Nadir Ali.
4. Babu Radha Prasad Verma (since deceased).
5. Babu Surendra Nath Ghosh.
6. Babu Bijendra Nath Bose.
7. Babu Manmatha Nath Banarji.
8. Babu Mukunda Mohan Bose.
9. Babu Tulsi Charan Chakravarty.
10. Babu Debendra Nath Chatarji.
11. Babu Sharoshi Mohan Ray Chaudhuri.
12. Babu Bhola Nath Mukharji.

Number of piece-work readers remunerated from costs realised from parties—

5 paid at the fixed rate of Rs. 30 per mensem.

5 paid on the piece-system at the rate of one anna per page.

Total 10

Statement C referred to in the clause (c) of Unstarred Question No. 105.

(*i*) Appeals registered in each of the years 1921 to 1926—

Years.	Appeals from Original Decrees.	Appeals from Appellate Decrees.	Appeals from Orders—		Total.
			Original.	Appellate.	
1921 ..	220	2,605	231	145	3,201
1922 ..	331	2,692	230	179	3,432
1923 ..	258	2,796	240	187	3,481
1924 ..	290	2,500	257	198	3,245
1925 ..	264	2,700	293	220	3,477
1926 ..	220	2,740	314	174	3,448

(*ii*) Appeals from Original Decrees—

Years.	Number of appeals below Rs. 10,000 in value.	Number of appeals valued at Rs. 10,000 and above.	Number of appeals not valued.	Total.
1921 ...	120	56	44	220
1922 ..	185	71	75	331
1923 ..	148	70	40	258
1924 ..	146	92	52	290
1925 ..	155	73	36	264
1926 ..	128	55	37	220

(*iii*) See clause (*i*) above.

(*iv*) Appeals from Appellate Decrees—

Years.	Number of appeals not exceeding Rs. 50 in value.	Number of appeals exceeding Rs. 50 in value.	Total.
1921 ..	795	1,810	2,605
1922 ..	701	1,991	2,692
1923 ..	866	1,930	2,796
1924 ..	676	1,824	2,500
1925 ..	737	1,963	2,700
1926 ..	934	1,806	2,740

[NOTE.—These figures include (1) cases not valued; (2) cases under Chapter XI of the Bengal Tenancy Act; and (3) analogous batches of cases consisting of appeals, some of which are valued above and some below Rs. 50.]

(*v*) Privy Council Appeals—

Years.	Number of appeals.
1921	32
1922	52
1923	165
1924	37
1925	86
1926	44

Motion for Adjournment.

Maulvi ABUL KASEM: I have given a notice for moving the adjournment of the House to-day, in order to draw attention to a matter of definite and urgent public importance. I have your written permission to ask the leave of the House to move the same.

Mr. PRESIDENT: Is there any objection to that motion being moved?

The Hon'ble Mr. J. DONALD: Sir, I do not object to the motion being moved, but I should like to draw your attention, Sir, in connection with the time which you will fix for the discussion of this motion to the fact that there are only two days allotted for the discussion of the motions for reduction under the head "General Administration". There are 107 motions for reductions under this head, and I suggest that this fact should be taken into account when considering this question.

Mr. PRESIDENT: I take it that Mr. Abul Kasem has the leave of the House to move his motion; but a very reasonable request has been made by the Hon'ble Mr. Donald, and I want to know if the member who intends to move this motion has got anything to say against it.

Maulvi ABUL KASEM: I could not follow the Hon'ble Finance Member.

Mr. PRESIDENT: The Hon'ble Member stated that having regard to the heavy list before us and to the fact that we have to go through it by to-morrow, it is for consideration whether this motion should be taken later on or not.

Maulvi ABUL KASEM: I think also that, the time allotted for the discussion of the motions is very limited, but the proper course to remedy the defect would be to begin the meetings earlier, and if we have to finish the list by to-morrow, I think it will be better to add two hours to to-morrow's sitting in the afternoon and allow my motion to be moved to-day, because it is a matter of very urgent importance.

Mr. PRESIDENT: I do not think you can discuss that. The allotment of time is His Excellency's prerogative.

Mr. J. M. SEN GUPTA: As you have already allowed Mr. Donald to say something, may I also be allowed to point out that so far as this House is concerned, I think I have never seen two days being allotted for a particular grant. My point is this—this is the first time that instead of specifying hours for discussion of a particular grant, "days" have been mentioned. The result is that if there is a motion for the adjournment of the House, then no one knows how many hours or what time a particular grant will have. If the Council gives leave to the hon'ble member to move the motion for adjournment to-day, the result will be that two hours would be taken away from a particular grant. Therefore, I was suggesting that a reference may be made to His Excellency by you, Sir, having regard to the importance of the motion and having regard to the fact that by moving it we should lose two hours from a particular grant. The matter should be referred to His Excellency, so that he may grant certain more hours for the discussion of the grant.

Mr. PRESIDENT: I do not think it is at all possible for me to refer this matter to His Excellency. His decision on the point should be taken as final. On the other hand, you must admit that it is absolutely impossible to foresee the adjournment of the House over any question. I should like the mover of the motion to satisfy me that his case would be affected if his motion is put off to some other day. If he is able to make out a case, I will consider it.

Maulvi ABUL KASEM: Sir, even if the House takes up this motion any other day, it would be the same as the House, I think, sits only up to 5-30. I do not think any business can be transacted that day. So the question may be settled by having Saturday and Monday reserved for the discussion of motions under General Administration. My motion refers to a matter of very great and urgent public importance—to an incident which happened 9 days ago when there was no sitting of the House and no action could be taken. Some steps will have to be taken by Government in the matter.

Mr. PRESIDENT: Do not mind my interrupting you. What I simply want to know is whether there is any chance of your case being prejudicially affected if it is put off, say, to Monday. I do not want you to go into details, but simply tell me how it is going to be affected.

Maulvi ABUL KASEM: I do not know what you mean by affecting my case. As regards its urgency it is well known that there is a considerable tension of feeling over this question.

Mr. PRESIDENT: I am sorry you are going into details. Will you simply point out how your case will suffer in case I fix Monday for the discussion of the motion. If it is not affected, I think public interest demands that you should yield to the request of the Hon'ble the Finance Member.

Sir ABD-UR-RAHIM: Sir, over this question there is very great excitement and there is an intense feeling in the land, and we want, by moving this motion as by placing before the House the facts that have transpired and have caused such great feeling, we want to allay that feeling as far as possible. Therefore, we think that this matter is of very urgent importance, and I beg to suggest to you that it is always the practice when a motion for adjournment is asked for to have it discussed the same day, for the law provides that a motion for adjournment can only be moved when it is of definite and urgent importance. In this case the feeling is very intense and people are excited, and it is our duty to see that that feeling subsides and is allayed as soon as possible.

Mr. PRESIDENT: There is no question about that. I know that the matter is urgent and that is why I have given my consent to the motion being put. But it has been pointed out that we have to take up other motions of great public importance, which we have got to finish by to-morrow, and it will be in the public interest if we put off Mr. Kasem's motion to Monday. I do not think any case has been made out to the effect that the motion for adjournment would be prejudicially affected if it is put off to Monday.

Sir ABD-UR-RAHIM: Sir, if it is put off to any other day, the effect would be the same, that is to say, two hours will be taken out from some other department.

Mr. PRESIDENT: That argument has already been advanced. In my opinion no case has been made out to show that Mr. Kasem's motion will be prejudicially affected in case it is put off to Monday. I, therefore, fix Monday and 2-30 P.M. as the time for this motion. It will be taken up immediately after the questions are put and answered.

Mr. J. M. SEN GUPTA: May I ask, Sir, whether the 15 minutes that we have lost to-day would be added to to-morrow's sitting or to-day's? Although we were summoned to attend here at 2-30, we started at quarter to three, and my enquiry is this, whether the House will sit either to-day or to-morrow 15 minutes longer.

Mr. PRESIDENT: Should you not leave such matters to the discretion of the Chair? In fact, it is up to me to commence the business of the Council a few minutes later, if circumstances required it, as it is in my discretion to adjourn the Council when necessary.

GOVERNMENT BUSINESS.

Budget Corrections.

The Hon'ble Mr. J. DONALD: Sir, I beg to present a memorandum to the House showing certain corrections made in the revised estimate for 1926-27 and the budget estimate for 1927-28. It will be seen that our revenues for this year are not so good as they were when I presented the budget the other day. I do not propose, however, to make any change in the budget for next year. I do not wish to take up the time of the House for any length of time, but I should like to refer very briefly to one or two points which were raised during the discussion on the budget last week. There was a lot of criticism over the procedure and form of our budget discussion as well as of the form of the budget itself. If members would come round to me or to Mr. Woodhead in Writers' Buildings, we will be very glad to explain to them much more clearly what they have found difficulty in understanding.

Sir, some members have made remarks about my self-complacency in regard to this budget. Well, I would like to say that my position is this that although I am satisfied in one respect, I am far from satisfied in another respect. I am satisfied with the present position in that we have money to carry on; we can balance income and expenditure. This

is quite different from the situation when I took charge of the revenues of the province, when it was a matter of great difficulty to make ends meet. Even now, after having added to our commitments, we can meet existing expenditure. Where I am not satisfied is that our finances are not such as will enable us to ensure development and progress and will not be so unless we get both greater elasticity in our sources of revenue as well as additional sources of revenue. But I do not wish the Council to think that because we have been able to balance our income with our expenditure that our financial position is such that we can meet our needs. I am at the moment somewhat worried about our stamp revenue, but the present departure cannot last for ever, and our financial position should improve in coming years.

Most of the criticisms had reference to matters of a departmental character, and I will leave the Hon'ble Members and Ministers in charge of the Departments to deal with them as they feel necessary. There is just one subject on which I should like to say something—a matter which was referred to by some speakers last week. I refer to the public health organisation scheme. As some speakers have remarked, I was handed by Mr. Das a scheme for public health organisation. I passed it on to the Department concerned, and the scheme has been under examination in that Department since that time. There has been delay due to Dr. Bentley's absence. I had not much to say upon this scheme when the budget was presented. A provision of Rs. 3 lakhs had been made in the budget for two successive years in the hope that the scheme would mature. In allowing this, I waived the observance of a rule which forbids the Finance Department from putting into a budget schemes which they have not seen or examined. I was not inclined to waive this rule a third time, and so I stirred up matters and as a result of that I can tell the Council to-day that we have accepted in principle a scheme prepared by Dr. Bentley, which follows, I may say, that suggested by Mr. Das for a public health organisation in Bengal. When carried out to the full this scheme will entail a very considerable sum of expenditure, between Rs. 11 and Rs. 12 lakhs. But a beginning will be made in the coming year with the Rs. 3 lakhs provided in the budget. It is, of course, not possible for several reasons to introduce a big scheme of this kind all at once throughout the province. I shall leave it to the Hon'ble Minister to explain this when he introduces the demand for public health. All that I will say now is that should the scheme be successful in its initial stages, it should be in full working order within a very short period. I think, Sir, this is a good answer to those who have criticised our action with regard to Mr. Das's scheme.

Dr. BIDHAN CHANDRA ROY: May I enquire how long it will take to put the whole scheme through?

The Hon'ble Mr. J. DONALD: As I have already said, I leave it to the Hon'ble Minister to explain details; it will, I believe, take three years. It will require about six hundred doctors.

There is only one other point to which I should like to refer and that is with regard to the remarks made by the hon'ble member for the Dacca University in connection with our settlement. I had hoped that I would be able to deal at some length with this question in connection with the resolution regarding the export duty on jute—a resolution which was not however reached. Since previous discussions on this question, we have had the report and the recommendations of the Taxation Enquiry Committee. Now, the Taxation Enquiry Committee in considering the allocation of revenues between Provincial and Central made certain suggestions in regard to dividing "Income-tax" between the Central Government and the provinces, and expressed the opinion that if equilibrium could be secured by the use of income-tax as a balancing factor, it was undesirable to use other balancing factors such as export duties, including that on jute, if it could be avoided. On this question I should like to refer this House to that part of the speech made by the Hon'ble Sir Basil Blackett in the Assembly last August where he referred to the suggestion of the Taxation Enquiry Committee for adding elasticity to provincial finances by giving the provinces a larger share in the proceeds of taxes as income and for taking back "non-Judicial Stamps" for the Central Government. As he indicated in that speech, local Governments were addressed. We answered the reference and, following on our expression of opinion on the suggestions made, we added a request—following on the recommendations made to us by this Council—for the allocation to us of the export duty on jute. Well, Sir, this matter is still under discussion. A change has been made in the original proposals and is being considered, as will be apparent from the Hon'ble Sir Basil Blackett's recent Budget speech, with regard to the division of "Stamps". I hope, Sir, that this particular matter will be settled by this time next year. But it will remain to be seen whether even a settlement by this means will be adequate to the needs of Bengal.

Babu NALINIRANJAN SARKER: On a point of order, Sir. Can the Hon'ble Member take up the time which has been allotted for the discussion of "General Administration" by making a general speech?

The Hon'ble Mr. J. DONALD: If the Council think that I am wasting their time then, perhaps, I had better sit down.

Mr. PRESIDENT: I think you are perfectly justified in making the statement.

The Hon'ble Mr. J. DONALD: As I was going to say, we may wait and see whether with regard to the division of revenues now under consideration, a settlement satisfactory to Bengal will be evolved. The permanent remission of our provincial contribution seems now well assured, but if the final conclusions on the modification of the settlement now being examined do not meet Bengal's needs and claims, we shall have again to push in the matter.

Maulvi ABUL KASEM: On a point of order, Sir. You have very kindly fixed Monday for the adjournment motion, but may I enquire, Sir, that in case I cease to be a member of this House, will you permit somebody else to move that?

Mr. PRESIDENT: Provided I get intimation before the business of the House has commenced.

DEMANDS FOR GRANTS.

22.—General Administration.

The Hon'ble Mr. A. N. MOBERLY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 94,38,000 be granted for expenditure under the head "22.—General Administration (page 62, Civil Estimates)".

Babu JITENDRALAL BANNERJEE: I beg to move that the demand of Rs. 3,000 under the head "22A.—Staff and Household of the Governor—Subscription to Indian News Agency Telegrams (page 63, Civil Estimate)" be refused.

Mr. President, my motion is such a modest one in comparison with the lofty and ambitious schemes that will come later on—specially the determined onslaught upon the carpets and upholstery of His Excellency the Governor—that I am almost reluctant to move it. But somehow or other, I cannot bear this Indian News Agency business. The Indian News Agency or I. N. A., so far as I understand it, is only a *Benami* concern transacting business on behalf of the Associated Press of India. The Associated Press itself is a limited liability concern doing business for the benefit of its own share-holders. The telegrams which are circulated by the Indian News Agency are really the same as those sent out by the Associated Press; and the telegrams which the Government Members are supposed to receive through the Indian News Agency appear also next morning in the newspapers through the agency of the Associated Press. In such circumstances, I do not know why any part, even a trifling part, of the taxpayers' money should be wasted in paying a

subscription which is nothing more than a subsidy to a certain news agency. But this is not all. Though the subscription has been put down in the budget at the modest sum of Rs. 3,000, it has a tendency to creep up in an inexplicable way. Thus, last year a provision of Rs. 2,500 was made for this purpose, but the revised budget estimates show that you have already spent Rs. 6,900 on this head: and though this year also a modest provision of Rs. 3,000 has been made, there is no guarantee that it will not mount up to, say, Rs. 7,500. And I submit that an expenditure of Rs. 7,500 for the purpose of subsidising a news agency is an extravagant waste, not to be permitted by the Council.

With these words I beg to commend my motion to the Council.

The Hon'ble Mr. A. N. MOBERLY: This demand is made for telegrams, not for the Private Secretary's personal benefit, but for the benefit of His Excellency the Governor. They are addressed to the Private Secretary simply; they are not addressed to His Excellency direct. I think the House will admit that His Excellency should be posted with the latest news. As far as I can understand, the hon'ble mover of the motion does not object to His Excellency getting the information, but he objects to the source from which he gets it. I do not, however, know from which other source His Excellency.....

Maulvi ABUL KASEM: May I enquire if His Excellency would not be as fully posted with information by subscribing to the Associated Press?

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a fact that the Indian News Agency as also Associated Press Agency generally supply news much later than their publication in newspapers?

The Hon'ble Mr. A. N. MOBERLY: I do not know whether there is any other source. All that I am concerned with is that His Excellency should get the latest news.

The motion that the demand of Rs. 3,000 under the head "22A.—Staff and Household of the Governor—Subscription to Indian News Agency Telegrams" be refused was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Naushar.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Premotha Nath.
Banerjea, Mr. A. C.
Banerjea, Babu Jitendralal.
Basu, Babu Basi Behhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Babu Umes Chandra.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Raj Narendranath.
Choudhury, Maulvi Khorshed Alam.

Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Sarbi Kumar.
Ghose, Babu Amarendra Nath.
Gofran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamiruddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalinirnjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Shah, Mr. Gholam Hossain.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Adams-Williams, Mr. C.
Ahmad, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syamkee.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. D.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Saahse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 63 and the Noes 53, the motion was carried.

3-30 P.M.

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 39,000 under the head "22A.—Staff and Household of the Governor —Private Secretary (page 63, Civil Estimate)" be reduced by Rs. 24,000.

He spoke in Bengali, the English translation of which is as follows:—

"Every year motions of reduction of the Governor's extravagant household expenditure are moved in the Council, but Government never take these motions into their serious consideration. The public disapprove of this extravagance; particularly in the existing condition of the country. The people starve for want of food. They die in large numbers from diseases which are preventible. They have no good drinking water. Their education is neglected for want of money. The number of the unemployed increases daily. It is extremely regrettable that a Government which cannot solve these vital problems for want of money can afford to spend so much on the Governor's household and staff. I propose that the money saved by the reduction moved by me be spent for removing the wants of the people of the country."

The Hon'ble Mr. A. N. MOBERLY: As far as I was able to follow the hon'ble member's speech he did not really want to attack the institution of Private Secretary or to abolish the clerks and servants or to deprive them of their allowances. I am not prepared to go into the questions which he did raise. I merely point out that if this motion is carried, the Private Secretary will be without any office. It is absolutely necessary that a Governor coming from England should have a Private Secretary, but a Private Secretary cannot function without office. So I oppose this motion.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

Maulvi ASIMUDDIN AHAMAD: I formally move that the demand of Rs. 7,000 under the head "22A.—Staff and Household of the Governor—Military Secretary—Travelling allowance (page 64, Civil Estimate)" be refused.

The Hon'ble Mr. A. N. MOBERLY: I formally oppose it, Sir.

The motion of Maulvi Asimuddin Ahamad was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Bakah, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjea, Mr. A. C.
Bannerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chatterjea, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashrat Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Agral Kumar.
Ghose, Babu Amarendra Nath.

Gupta, Mr. Jogesh Chandra.
Haque, Kazi Emdadul.
Hosain, Nawab . Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Tarakanath.
Nasker, Babu Nem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalinranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Najee Abdool.
Sen Gupta, Mr. J. M.
Shah, Mr. Gholam Hossain.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghurnavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Sasanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sen, Mr. Satish Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 56 and the Noes 63, the motion was lost.

The following motion was called but not moved :—

3·45 P.M.

Babu ROMES CHANDRA BACCHI: "That the demand of Rs. 25,000 under the head '22A.—Staff and Household of the Governor—Renewal of Furniture and Carpets' be refused (page 64, Civil Estimate)".

Khan Sahib Maulvi ABDUS SATTAR: Sir, I beg to move that the demand of Rs. 2,30,000 under the head "22.—General Administration —Military Secretary" be reduced by Rs. 13,200 (page 64, Civil Estimate).

Sir, we find that in the estimates for the Military Secretary several items have been provided specifically, but this is a lump provision for increasing the annual maintenance grant. In the last year's budget we find a sum of Rs. 5,000 as being provided for this purpose, but nothing has been shown as actuals for 1925-26. It is not known for what purpose this amount has been provided, and it seems rather meaningless, and that is why it should be omitted. I, therefore, press that this item be omitted.

The Hon'ble Mr. A. N. MOBERLY: Sir, it was explained by Sir Hugh Stephenson on more than one occasion that this sum of Rs. 13,200 is added in a lump to cover the increased cost of materials. The original block estimate was made in 1913, and since then the prices of materials have very much increased. There would have been two alternatives: one alternative was to revalue and raise the price of the block and take a percentage on that, and the other was to make the grant. Government had hoped, and still continue to hope, that prices would gradually come down, and when prices come down this lump provision for maintenance grant will come down also. If there were savings in previous years, that was all to the good. I hope there will be savings this year also, but in the meantime I must oppose this motion.

The motion of Khan Sahib Maulvi Abdus Sattar was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Bahsh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Promotha Nath.
Banerjee, Mr. A. C.
Bannerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Babu Umes Chandra.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Narendranath.
Chowdhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Safran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Haque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Tarakinath.
Nasker, Babu Nem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abdur.
Rahman, Maulvi Shamsur.
Rauf, Maulvi Syed Abdur.

Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalinranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen Gupta, Mr. J. M.
Shah, Mr. Gholam Hossain.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syamkee.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. N.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Pravash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. G. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sen, Mr. Satish Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 60 and the Noes 60, the Hon'ble the President gave his casting vote against the motion.

The motion was, therefore, lost.

[At 4-10 P.M. the Council was adjourned and it reassembled at 4-20 P.M.]

Mr. PRESIDENT: Order, Order. I have to make an announcement. Certain members of this House submitted an application through me on the 22nd February last for the allotment of an extra day for undisposed of resolutions. The application was duly submitted to His Excellency the Governor, and I am to say that His Excellency is not prepared to grant an extra day as prayed for.

Mr. P. C. BASU: I beg to move that the demand of Rs. 70,000 under the head "22A.—Staff and Household of the Governor—Band Establishment" be refused (page 65, Civil Estimate).

I do not want to inflict a long speech on the House. The matter has been thoroughly discussed and thrashed out in the past. But I want to say simply this, that this expenditure on the establishment of the band is for the use of whom we do not know, but possibly for the members and those who attend the Governor's garden parties or dinner parties, and whether for this extraordinary extravagance on the part of the executive, we should tolerate an expenditure of Rs. 70,000, it is for the House to say. What I say is this: it is criminal on the part of the executive to ask for such a sum for this band establishment when the hungry millions of Bengal are never looked after. Their needs are never taken into consideration, and still for the purpose of the band the Hon'ble Member has tabled a motion for Rs. 70,000. I do not want to say much more on the subject, and I wish that the House will give a fitting reply to the demand.

Srijut BIJAY KUMAR CHATTERJEE: Mr. President, Sir, for the entertainment of His Excellency the Governor and his family a rule may be made that all cinemas, theatres, etc., shall be open free of charge to His Excellency and the members of his family. In this way His Excellency and the members of his family can get .....

Mr. PRESIDENT: Mr. Chatterjee, would you confine your remarks to the motion? I think you are going beyond proper limits.

Srijut BIJAY KUMAR CHATTERJEE: Sir, the poor Indians can ill-afford to spend Rs. 70,000 for maintaining a band establishment. The true music in India which we would like very much that the Governor should hear is the cry of agony and despair which is always going up from thousands of wretched cottages—ill and half-starved children with no food, no clothing, no medicine, no pure water. His Excellency the Governor's band drowns the true music in India and induces His Excellency to believe that the country is happy and prosperous.

Maulvi KADER BAKSH: Sir, this motion comes before the House year after year. On the last occasion I had not an opportunity to speak on a motion of this nature regarding the band establishment of His Excellency the Governor. Is it a condition precedent to the appointment of His Excellency the Governor of this province that he should have a band establishment? If it is not, then we cannot vote for it; we must vote against it. The House should not think that as a Muhammadan I am against music; that is not it. If it is not a condition precedent to the appointment of His Excellency the Governor,

then I think it is the duty of the House to vote for this motion of refusal.

The Hon'ble Mr. A. N. MOBERLY: Sir, this question of the band establishment has been discussed in this Council on many previous occasions, and Sir Hugh Stephenson has explained exactly what the position is. At the time when Bengal was made a Presidency, it was decided that a body-guard and band were the recognised signs of a Presidency as compared with a province. The Governor of a Presidency has also certain social duties ... .

Babu AKHIL CHANDRA DATTA: When was that recognised, by whom and under what circumstances?

The Hon'ble Mr. A. N. MOBERLY: Sir Hugh Stephenson stated: "Those who can remember so long ago as the partition of Bengal, the creation of Bengal into a province, will remember that a very great point was made not only by Government but in all speeches and correspondence that the body-guard and band were the outward and visible signs that Bengal was a Presidency and not a province."

The Governor of a Presidency has also many social duties to perform in the most important city of India which the Governor of a smaller province has not to face, and a band is necessary for the performance of these duties. I would further point out that the new Governor will be arriving in India within a few weeks, and the present moment seems somewhat inopportune to make such a drastic change as this. I would, therefore, ask the House to pass the grant and then let Sir Stanley Jackson consider whether he desires to maintain the band or not.

Rai HARENDRANATH CHAUDHURI: May I ask the Hon'ble Member if he is aware of the cost of the band establishment in the other Presidencies, *e.g.*, Madras and Bombay? Our information is that it is much lower than ours.

The Hon'ble Mr. A. N. MOBERLY: I must ask for notice of this question.

Mr. JOGESH CHANDRA GUPTA: May I ask whether a military band from Fort William cannot conveniently be made available to play a tune which Sir Stanley Jackson might call?

The Hon'ble Mr. A. N. MOBERLY: It has already been pointed out on previous occasions that a military band is very expensive, and it seems quite unlikely that any saving could be effected by adopting the suggestion.

4-30 P.M.

The motion that the demand of Rs. 70,000 under the head "22A—Staff and Household of the Governor—Band Establishment" be refused was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakrabortty, Babu Jatindra Nath.
Chatterjee, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khershed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Kasim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawia, Maulvi Chaudhury Golam.
Mukerjea, Srijut Tarakhnath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarkar, Babu Naliniranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Shah, Mr. Gholam Hossain.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. G. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Gafran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. M.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.

Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 60 and the Noes 57, the motion was carried.

The following motion was not put, as it was covered by the foregoing decision of the Council:—

Srijut TARAKNATH MUKERJEA: "The demand of Rs. 70,000 under the head "22A—General Administration—Band Establishment (page 65, Civil Estimate)' be reduced by Rs. 20,000."

5 P.M.

Mr. P. C. BASU: I move that the demand of Rs. 1,13,000 under the head "22A—Staff and Household of the Governor—Body-guard Establishment (page 66, Civil Estimate)" be refused.

This is also another extravagant expenditure on the part of the executive. This matter also came up before the House many times and, as I mentioned during the budget discussion that it had also come up before the Retrenchment Committee. As I said then, the Members of the Retrenchment Committee were of opinion that this expenditure was "avoidable". Of course, they would say "avoidable" because you cannot expect stronger language from such a very moderate set of people who were members of it. Sir, this is an extravagant expenditure which in the 20th century no Government can justify. A late Member of Government, the Hon'ble Maharajadhiraja Bahadur of Burdwan, while replying to a debate on this question, mentioned that the body-guard were only used on two occasions during a year and for that Rs. 1,30,000 has been tabled for a grant. I fail to see, Sir, at the present moment how can the Member in charge justify this expenditure. The only reason for keeping up this pomp and grandeur is nothing but the same justification of the actions of the old Bourbons of France. I think the House ought to reply to the demand by allowing this motion to pass.

Sir ABD-UR-RAHIM: I support this motion, Sir, because there can be no doubt that His Excellency the Governor can very well do without this body-guard. In the other provinces, excepting the three Presidency provinces, I believe the Governor has no body-guard. I am not one of those who think that a Governor can do altogether without a certain amount of pomp and circumstance, but what strikes me is that if the Governor of the Punjab, for instance, where it would have

a more telling effect, if the Governor of the United Provinces can do without a body-guard, I do not know why a body-guard is needed for the Governor of Bengal. Besides, as has been pointed out, the body-guard goes out once or twice a year. Surely, it is too much to keep an establishment of this nature when it is used only two or three times in a year. I do not think there is any justification whatever for spending so much money on the body-guard.

Maulvi ABUL KASEM: I also support the motion on the simple ground that on one or two occasions that the body-guard is required the military can supply it. It is absolutely unnecessary for keeping a permanent body-guard for His Excellency.

Mr. JOGESH CHANDRA GUPTA: Sir, in supporting this motion I would expect some of the European members on the other side of the House and those who go to the races to also support this motion and that for this simple reason—we generally see the body-guard pass over the race course and the horses that travel over the race course raise a considerable amount of dust and make the track worse than what one would desire. If I am risking some money I would have the race course track maintained much better than it could be if the body-guard with their heavy horses pass over the race course. On that ground I hope the European members and specially those who are race-goers would support this motion.

Babu JITENDRALAL BANNERJEE: Sir, within recent days I have been in need of a body-guard myself, and I have the acutest sympathy with all those gentlemen who may be in need of a body-guard for self-protection. But there is another fact which strikes my mind at this moment. We have been told in season and out of season that the British Government is based upon the love, loyalty and affection of the people. If that is so, and I don't question it, mind you, then the love, loyalty and affection of the people ought to rise up like a protecting wall, surrounding the person of His Excellency and dispensing with the need of all material body-guards.

The Hon'ble Mr. A. N. MOBERLY: Sir I dealt partly with this subject when the band establishment was being considered and I pointed out that the body-guard and the band were some of the things which distinguish a Presidency from a mere province like the Punjab.

Sir Abdur-Rahim mentioned that he had no objection to a certain amount of pomp and circumstance surrounding the Governor. But this Council, it seems, does not want to accord to the Governor either a body-guard or a band or even carpets and furniture. I do not know where the pomp and circumstance come in only with bare walls and floors in Government House.

It has been suggested that the military might supply the body-guard when needed, but I am afraid the military authorities would not agree to do anything of that sort. It is not what the military are for. But I have one argument which has not been put forward before and it is this: during the recent riots—the riots which took place in 1926 in Calcutta—there was a serious shortage of mounted police and the body-guard took their place and filled up the gap and they did a good deal to preserve the peace of Calcutta.

The motion of Mr. P. C. Basu was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Bakeh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Basi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Tarakhnath.
Nasker, Babu Nem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalinranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Sulaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamhee.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McC.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.

Ghuznavi, the Hon'ble Hadji Mr. A. K.
Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gafran, Maulvi Abdul.
Raque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Pravash Chundar.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Reuse, Mr. F. A.
Sanyal, Babu Sashindra Narayan.
Sarbadhikari, Dr. Sir Deva Prosad.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 60 and the Noes 65, the motion was lost.

Maulvi ASIMUDDIN AHAMAD formally moved that the demand of Rs. 1,13,000 under the head "22A—Body-guard Establishment" be reduced by Rs. 77,000 (page 66, Civil Estimate).

The Hon'ble Mr. A. N. MOBERLY : I formally oppose the motion.

The motion of Maulvi Asimuddin Ahmed was then put and a division taken with the following result :—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Bakhsh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Prometha Nath.
Banerjea, Mr. A. C.
Banerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Tarakanath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.

Rahim, Sir Abdur.
Rahman, Maulvi Shamsur.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Najee Abdool.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Salaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. D.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. S. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. S.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. W.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Mandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Roy Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 59 and the Noes 65, the motion was lost.

5-15 P.M.

Srijut TARAKNATH MUKERJEA : I beg to move that the demand of Rs. 1,30,600 under the head "22A.—General Administration—Body-guard Establishment (page 66, Civil Estimate)" be reduced by Rs. 63,000.

I do not like to waste the time of the House by making a long speech, but I simply submit that in a country where people are daily dying in thousands from malaria, kala-azar and cholera, in a country where people are daily dying in large numbers for want of pure drinking water, I think we can hardly afford to waste such a large sum on the luxury of a body-guard establishment for the Governor of this

province. Under the circumstances, I move that the demand be reduced by Rs. 63,000.

The Hon'ble Mr. A. N. MOBERLY : The cost of the body-guard was considered, I think, in 1923 and a considerable cut in the cost was then made. I am afraid that if there is to be a body-guard the cost cannot be cut down to any figure below the sum asked for. I, therefore, oppose the motion.

The motion of Srijut Taraknath Mukerjea was put and a division called for.

Mr. PRESIDENT : Before I order a division, I should like to request members to move on to and pass through the lobbies as quickly as possible.

A division was then taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bajay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Haque, Kazi Emdadul.
Hasain, Nawab Musharruf, Khan Bahadur.
Husain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Taraknath.
Naskar, Babu Ham Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mahamed.
Sarker, Babu Naliniranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Sulaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Syamdas.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. B.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. S. S.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Gutt, Mr. G. S.
Eddis, Mr. A. McD.

Farequi, Khan Bahadur K. G. M.
Forrester, Mr. Jr Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. P. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Jaton, Mr. E. P.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. P. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 58 and the Noes 65, the motion was lost.

Srijut BIJAY KUMAR CHATTERJEE: Sir, I beg to move that the demand of Rs. 1,13,000 under the head "22A.—Staff and Household of the Governor—Body-guard Establishment (page 66, Civil Estimate)" be reduced by Rs. 50,000.

Sir, mine is a very reasonable proposal. I want to reduce the demand by only Rs. 50,000. I beg to submit that Rs. 1,13,000 per year comes to about Rs. 9,000 per month, which is a very interesting figure. The Governor gets Rs. 10,000 per month as salary, and it is really strange that a person getting Rs. 10,000 a month as salary gets Rs. 9,000 per month as his body-guard allowance. With these words I beg to move this motion.

Mr. S. C. BOSE: Mr. President, Sir, the questions before this House is whether you are going to encourage in the year of grace 1927 these light-hearted revellers in their demand for pomp and circumstance. In addition, Sir, to the pestilences that are stalking over the land, to the periodical famines with which we have almost got accustomed, we have the more serious evil and that is the communal evil. We expected that this afternoon we would have an opportunity of discussing the communal evil. But I will not detain the House with that question. What I would ask the Liberal party, who are represented in this House by no less a person than the Hon'ble Member for the Presidency Landholders Division, and the Responsivist Party, who are represented in this House by no less a person than the Hon'ble Member for the Nadia Division—we, on this side of the House would like them to answer

this straight and simple question: What constructive work are they doing for the country by voting in favour of the body-guard and the band establishments? Sir, we are entitled to an answer, because any member of a party which calls itself the Nationalist Party is answerable to his constituency and to his country for his action in this House. Some of us here, Sir, are new members—we are yet learners in the art—but, possibly, we might ask the old liberals in this House and the new-fangled Responsivists to try and satisfy this House and their constituencies, and the country, as to what constructive work they are pushing forward by voting for the body-guard and the band establishments. May I ask them, is that working the Reforms for whatever they are worth? Are the Reforms going to die an unnatural death if the Governor of Bengal is going to be deprived of his band and body-guard establishments? Sir, as I started by saying, at the present moment the demand of the country is this: that light-hearted revellers are not to be encouraged, no matter how high their position may be. Sir, the band establishment costs the poor rate-payer as much as Rs. 70,000 a year, and the body-guard establishment costs him Rs. 1,13,000; and I would like the Liberal members and the Responsivist members of this House to address themselves to this question whether it would not be better, far better, from their own point of view—I am not so much concerned now with our point of view because we have taken up an uncompromising attitude so far as Diarchy is concerned—whether it would not be far better to divert the poor Indian tax-paper's money to more beneficient schemes than band and body-guard?

The Hon'ble Mr. A. N. MOBERLY: Sir, the observations which I made on the last motion apply equally to this one. I do not propose to waste the time of the Council by repeating them—they are fresh in the minds of the members of the Council. I would only point out that the last speaker apparently mixed up the band and the body-guard when he talked about light-hearted revellers. I do not know how the body-guard revels, seeing that their work in the last year has been to keep peace in the streets of Calcutta. I beg to oppose the motion.

The motion of Srijut Bijay Kumar Chatterjee was then put and a division taken with the following result:

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamed, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Bakshi, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Yogindra Chandra.
Chakrabortty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.

Das Gupta, Mr. J. M.
Datta, Babu Nikhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Haque, Kazi Emdadul.
Hussain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Shramul.
Hussain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Muherjea, Srijut Taraknath.
Nasker, Babu Ram [illegible].
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsuzzaman.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarkar, Babu Nalinirenjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Adams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Aliquillah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. S.
Crawford, Mr. T. C.
De, Mr. K. C.
Day, Mr. G. S.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Nadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jonnaway, Mr. J. N.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Sasanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. G.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sashee, Mr. P. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 58 and the Noes 64, the motion was lost.

Adjournment.

The Council was then adjourned till 10-30 A.M., on Saturday, the 12th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 12th March, 1927, at 10-30 A.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 128 nominated and elected members.

Starred Questions

(to which oral answers were given).

Railway project to connect Tangail.

*41. **Babu AMARENDRA NATH GHOSH:** (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state—

(*i*) whether the proposed railway extension from Baosi or Kendua Kalibari to Tangail has been finally sanctioned; and

(*ii*) if so, when the construction work is likely to begin?

(*b*) If the answer to (*a*) (*i*) is in the negative, will the Hon'ble Member be pleased to state when it is likely to be sanctioned?

(*c*) Will the Hon'ble Member be pleased to state whether there is any other proposal for connecting Tangail with any railway line at any station other than those mentioned in clause (*a*) (*i*)?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. J. Donald): (*a*) and (*b*) The project has not yet been sanctioned, but it will be further considered by the Railway Board on receipt of the traffic report from the Agent, Eastern Bengal Railway.

(*c*) There is a proposal for connecting Tangail with Tangi, a station on the Dacca Section of the Eastern Bengal Railway.

Assistant Secretaries in the Bengal Secretariat.

*42. **Khan Bahadur Maulvi AZIZUL HAQUE:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(i) the number of Assistant Secretaries employed in the Bengal Secretariat; and

(ii) how many of them are Muhammadans?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (i) Including two in Legislative Department, 9.

(ii) None.

Nomination of Muslim candidates to sit at Bengal Civil Service examinations.

*43. **Maulvi MOHAMED SADEQUE:** (a) Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(i) how many candidates for Bengal Civil Service (Senior and Junior) were nominated to sit at the competitive examinations last year; and

(ii) how many of them were Muslim?

(b) Will the Hon'ble Member be pleased to state whether the Muslim candidates to sit at the competitive examinations are nominated on the basis of the circular that 45 per cent. of the posts should be given to qualified Muhammadans?

The Hon'ble Mr. A. N. MOBERLY: (a) The numbers were (i) 200 and (ii) 90.

(b) Yes.

Unstarred Questions

(answers to which were laid on the table).

Location of Munsifs' courts of Dacca.

108. Maulvi SYED MD. ATIQULLAH: (a) Is the Hon'ble Member in charge of the Judicial Department aware that the litigant public and the members of the Bar at Dacca are feeling inconvenience owing to the removal of the Munsif's courts to a place far away from the other court premises?

(b) If so, are the Government considering the desirability of removing the said inconvenience at an early date?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (a) Yes.

(b) Yes.

Maulvi SYED MD. ATIQULLAH: Will the Hon'ble Member be pleased to state when the inconvenience is likely to be removed?

The Hon'ble Mr. A. N. MOBERLY: The scheme will have to take its place with other schemes for the allotment of funds.

Mr. JOGESH CHANDRA GUPTA: Is there a scheme to erect a suitable building in the place where the present civil court Nazarat building stands and is it not a fact that the scheme is already in the possession of Government?

The Hon'ble Mr. A. N. MOBERLY: I am afraid I must ask for notice.

Satkhira-Khulna projected railway.

107. Babu NAGENDRA NATH SEN: Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state whether there is any likelihood at present of Satkhira being connected by railway with Khulna?

The Hon'ble Mr. J. DONALD: No. The Railway Board have recently intimated that the prospects of the line do not justify its construction.

GOVERNMENT BUSINESS.

Demands for grants.

22.—General Administration.

The following motions were called but not moved:—

Khan Sahib Maulvi ABDUS SATTAR: "That the demand of Rs. 1,13,000 under the head '22A.—Bodyguard Establishment' be reduced by Re. 1 (page 66, Civil Estimate)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 2,25,840 under the head '22A.—Staff and Household of the Governor—Pay of Establishment' be reduced by Rs. 40,000 (page 66, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 87,350 under the head '22A.—General Administration—Staff and Household of the Governor—Supplies and Services' be reduced by Rs. 37,350 (page 63, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 4,65,000 under the head '22A.—Staff and Household of the Governor' be refused (page 63, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 4,65,000 under the head '22A.—General Administration—Staff and Household of the Governor' be reduced by Rs. 1,65,000 (page 63, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 4,65,000 under the head '22A. Staff and Household of Governor' be reduced by Rs. 100 (page 63, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 80,000 under the head '22B.—Expenditure from contract allowance' be reduced by Rs. 40,000 (page 66, Civil Estimate)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 80,000 under the head '22B.—Expenditure from contract allowance' be reduced by Re. 1 (page 66, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 400 under the head '22B.—Executive Council—Hill allowances' be refused (page 67, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: I beg to move that the demand of Rs. 19,000 under the head "22D—Executive Council" be refused (page 67, Civil Estimate).

Sir, the total expenditure under the head "Executive Council" is nearly Rs. 3 lakhs. But the whole of this expenditure is not submitted to the vote of the Legislative Council. The Members of the Executive Council like all members of the heaven-born services have their salaries and allowances placed in the non-voted list. Their salaries and allowances have been placed beyond the control of the members of this Council, and only a modest sum of Rs. 19,000 has been submitted for the vote of this Council. I desire to take this opportunity to raise a constitutional question, *viz.*, whether or not the Executive Council should continue to form part of the Government of the province. Sir, the Council form of Government was established in the early years of

British rule in this country. It was in suspension for about 80 years, but was resurrected about 18 years ago and has been in active operation since then. Now, what has been the achievements of this antediluvian institution? Has the Executive Council of the province succeeded in securing the welfare and happiness of the people? The most important departments of Governmental activity have been under the control of the Executive Council. But the question is, how has this body discharged its functions? What is the condition of the health of the province? What is the position of education in this province? How have law and order been maintained in Bengal? What is the condition of the jails? How are our political prisoners treated? These are questions which have engaged the attention of the country for a long time past; and the verdict of the country on the work of the Executive Council is that it has failed in the performance of its duties and that the time has come when this antediluvian system should make room for a better system. Quite recently a number of important subjects, like education, sanitation, and local self-government, have been transferred to the hands of the elected members of the Legislative Council. But the Ministers under this system have been asked to make bricks without straw. The defects of diarchy have been pointed out on many occasions in this House as well as outside and I will not recount them here again, but it is clear to every body that diarchy is not only an unworkable system, but it is also an inefficient system. It is a system of compromise and of half measures, and it has never given any satisfaction to the people. The Ministers who have had practical experience of the system have condemned the system of diarchy and many members of the Executive Council also have said that the system is unworkable. The minority members of the Reforms Enquiry Committee—gentlemen whose loyalty is beyond all question, gentlemen who have served the Government well and faithfully, gentlemen who hold most moderate views—have said that diarchy is unworkable. A man like Sir Srinivasa Shastri said that half and half system is full of irritation, it wears out the nerves of those who work it. If opinion is unanimous on any question of Indian politics, it is the question of diarchy. The cry is heard from every part of the country, from every corner of the province, that diarchy must go. Even Lord Birkenhead some time ago from his place in the House of Lords observed that the system was not a desirable one.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): I suppose your motion relates to the Executive Council and not to diarchy.

10-45 A.M.

Dr. PRAMATHANATH BANERJEA: The Executive Council is part of the system of diarchy, and I am discussing the constitutional question. Now, the cry has been raised from every part of the province

that diarchy must go and that it should make room for a more efficient system of Government. Everywhere in the world we find that autocracy has given place to a responsible form of Government. Look at any country in the world and nowhere will you find to-day the autocratic system of Government. Will India continue to be an exception? Will Bengal for ever be ruled by autocratic methods? It is for this Council to give an answer. I know the powers of the Bengal Legislative Council are limited; we have no authority to amend the constitution. But even within the limited sphere of our activity we have to do our duty and it is our duty to tell the authorities in clear and unmistakable terms that the present system of Council Government has failed to give satisfaction to the people and to promote their welfare and happiness. If we do this, we shall be helping not only to remove the present anomalous and antediluvian system, but to bring into being a system which will be entirely responsible to the people and responsive to the needs of the country.

Rai HARENDRANATH CHAUDHURI: In rising to support my friend Dr. Pramathanath Banerjea in this motion I shall recall what happened last year when a motion of a similar character was moved by Maulvi Ekramul Huq. The Maulvi Saheb had tabled a motion refusing the demand for the Executive Council. Of course the motion was discussed at the time when we walked out of the Council and the Hon'ble Sir Hugh Stephenson taking advantage of the opportunity made a speech in which he advanced certain arguments and gave expression to certain thoughts—his personal views, as he was particular to mention—only in that connection. Now, what did Sir Hugh Stephenson say? He said that no case had been made out for the early appointment of a Royal Commission or for further advance towards responsible Government, of the enlargement of the powers of the legislature, because he thought that it was not possible for us to pass the *vera voce* test which would be laid down by the Royal Commission as he was afraid that in the first place, the Council would not be able to answer the question how far we have been able to work the constitution, and in the next place, even the electorates were not doing their duty satisfactorily, at least in the way that was expected of them. He thought that there could be no demand for the early appointment of a Royal Commission for the establishment of full responsible Government, because the legislators or rather the majority of the legislators were following a policy of obstruction in the Council, and because the electorates had the hardihood of returning men unacceptable to the bureaucrats, men who did not consider it their duty to support the irresponsible executive Government in season and out of season. That being the case Sir Hugh Stephenson thought the Council or rather the people of this country will not be able to justify their position before the Royal Commission and so he pleaded that the present form of constitution or rather the present form of executive Government

should continue for a time, until in their opinion it would be proper to confer full responsible Government on the provinces and he said in so many words that they were merely "keeping the machine working in the meanwhile". That was of course said by Sir Hugh Stephenson in his individual capacity, but those views were expressed exactly in a similar manner by Sir Alexander Muddiman in the Legislative Assembly not in his individual capacity, but as a spokesman of the Central Government. As we all know, Sir, every Britisher in this country is or is supposed to be the Government established by law in this land, not to speak of the high officials like Sir Hugh Stephenson, it is therefore not a matter of wonder at all that Sir Hugh Stephenson's personal and individual views tallied exactly with Sir Alexander Muddiman's official views. If I remember aright Sir Alexander Muddiman said in the Legislative Assembly that there was not the right sort of co-operation between the legislature and the executive Government and therefore the legislature was precluded from making any demand for responsible Government. That was the sum and substance of what Sir Alexander Muddiman said. Since then such a motion was tabled again in the Legislative Assembly and the inevitable reply was repeated and what was more, a new theory, what I may characterise as the crocodile theory, has been advanced. It has been urged in connection with a similar motion before the Legislative Assembly that so long as you have got to live in water you must make friends with the crocodiles. The crocodile picture is indeed an exact and apt picture of the bureaucracy drawn as it is by themselves and therefore, Sir, I hope, we shall not be pulled up if in future we have to remark against the crocodile tears of sympathy that are sometimes shed by our trustees. Thus, Sir, it is said that we must make the best of a bad job, we must suffer to be exploited, for that is apparently what is meant by the proposal to make friends with the crocodiles so long as we have got to live with them. That may be their point of view, but our point of view is this that we must make it impossible for the crocodiles to go on in this irresponsible and unresponsive fashion. We must make it impossible for them to continue in their irresponsible career without opposition and without obstruction; that is our reply. The country may not be ripe for taking such steps as will ensure the removal of the present irresponsible executive Government, and secure to it full responsible Government, but being the trusted representatives of the people we are in duty bound to express the feelings of the country and must say that we do not want any more the continuance of the irresponsible executive and that we are not prepared to put up with it any longer. Sir Hugh Stephenson said that they are simply "keeping the machine going on". How they are working the machine we all know. Since last April, since exactly the time his speech was made they are mishandling a question of capital importance to the country, *viz.*, the question of communal tension between the two great communities in India; and that is why the

communal riots and all such things are going on and there is really no peace and order in this country. Then again, Sir, are they really keeping the machine going on?—No, it has hopelessly broken down. They have inaugurated a rule of unlaw and a reign of terror. They are really working not with the help of the ordinary law, but they are simply defending their position by resorting to lawless laws and by interning innocent people without bringing them to trial, without securing any legal conviction to them. Is this any civilised form of Government? It is simply a revival of barbarism and nothing else; it is simply a revival of such mediaeval things as Bastilles and towers, oubliettes and dungeons, *lettres de cachets* and star chambers. A Government which is capable of such things should make early room for any other form of Government that may be capable of administering efficiently the country; that may be capable of securing to the country real peace, order and good government and not what is supposed to be peace, order and good government in the dictionary of the bureaucrats.

Sir ABD-UR-RAHIM: Now that the question has been raised whether this form of Government should be maintained or should be replaced by full responsible Government, I do not think it would be right on our part to give our votes if the matter goes to a division without my explaining our position. So far as I am aware, there are no two opinions in the country either among the Hindus or among the Muhammadans on this point. The All-India Moslem League for several years in succession have been passing this resolution with perhaps much greater emphasis every year than in the preceding year. The Muslim opinion in Bengal also is to the same effect that the present system has to come to an end as soon as possible and it has to be replaced by a better system. The opinion of the country is also now unanimous that it is impossible to go back to the old system of Government. So far as I am aware, even the English opinion—at any rate a great body of English opinion—is to the same effect: you cannot go back to the old system: you have to make an advance on the lines chalked out by the Government of India Act. As regards the proposition, therefore, which has been enunciated by Dr. Pramathanath Banerjea and Rai Harendranath Chaudhuri with eloquence which of course I cannot emulate, there can be no doubt. The details have to be worked out. As regards the position of minorities, the Muslim opinion is absolutely emphatic, unanimous, and I believe it is the opinion all over the country—I am talking of the whole of India—that there must be ample and proper safeguards for the protection of the rights and interests of the minority. We have also adopted the principle that each community must have its due representation by separate electorates and in accordance with the strength of the population. So I say the details have to be worked out. But so far as the general proposition is concerned with which alone we are now concerned, there is no difference of opinion, so far as I know,

among the Hindus and Muhammadans, and I think it is the opinion of all that this system has to be changed. It has to go and give place to a better system.

11 A.M.

Mr. W. L. TRAVERS: I hoped that Sir Abd-ur-Rahim would criticize the Executive Council. It would have been interesting to hear the criticism of an *ex*-Executive Councillor on the Executive Council itself. However I should like as a British Member to make one criticism at any rate on the Executive Council of this province. Now there are four of them, I consider that the Executive Councillors do not do sufficient touring in the province itself. I suggest with all due deference that the province should be mapped out and thoroughly toured during the coming year by the Hon'ble Members of the Executive Council. There is in my mind and in the minds of a great many other inhabitants of this province also the idea that there is a tendency, a considerable tendency, for a great deal too much concentration in this great city of Calcutta. While I recognise entirely the importance of Calcutta, nevertheless, I think, something like 46 out of 47½ millions of the people live in the country and the concentration—owing to perhaps this Council and Writers' Buildings—the concentration that happens here in Calcutta, I say, means neglect of the people of the country to some extent. I hope that my suggestion will not be lost sight of during this coming year. The Members of the Council should not only go to the Sadar town itself and inspect it but go to the country-side and live in tents and would then realize more the needs of the people in the countryside in regard to their health and sanitation and so on.

Mr. SARAT C. BASU: Mr. President, the matter that we are now concerned with is the motion for the refusal of Rs. 19,000 for the expenditure on the staff of the Executive Council. I have not been able to understand exactly how the matter stands. Out of this Rs. 19,000 I got it from the budget that Rs. 16,000 is non-voted and Rs. 3,000 is voted.

The Hon'ble Mr. A. N. MOBERLY: No, the whole of it is voted.

Mr. SARAT C. BASU: Thank you, Sir.

Now the principal item in the list of "22D—Executive Council" is the pay of the Members, Rs. 2,56,000. This is non-voted there is no question about that. Now what passes my comprehension is this—the matter of the Executive Council and Executive Councillors is beyond the vote of this Council. It is only, as we get it from the report the pay and other charges of the menials that are here shown.

Now this looks like blowing hot and cold in the same breath. The principal thing is the pay of the Members of the Executive Council but only the menial portion is given to us. I believe it is for this reason—although it is a very humble portion of the total expenditure—the intention of the legislature is to give an opportunity to the members of the Council to express their opinion as to the necessity of the Executive Council. This is not the occasion to discuss that big question but what I want to invite your attention to, is that when the Reforms Bill was introduced there was a distinct hope given to the public—and I may quote the words of Mr. Montagu—that it is the provinces in which the earliest step towards progressive realisation of responsible Government should be taken: "Some measures of responsibility should be given at once and our aim is to give full responsibility as soon as conditions permit. This involves at once giving the provinces the largest measure of independence—legislative, administrative and financial of the Government of India which is compatible with the due discharge by the latter of its own responsibilities." Now after this hope or, I should say, the promise so given have we moved a single step towards the realisation of that hope, towards the advancement of the independence which has been promised to the people at large? I submit we have not advanced an inch. If there has been any motion the motion has been backward, it has been a retrograde step altogether. Now as this is one of the things which have been given to us for votes I submit that the only thing we can do is to disallow this item in order to mark our sense that we should have greater control of the administration of the country. In fact it has been one of the complaints of this country that we know there are Executive Councillors, we hear of them but we never see them. If the Members of the Executive Council had gone out on touring from district to district and from division to division they would have come in touch with the people, would have known the masses, would have given the people an opportunity of expressing to them their grievances directly, which is one of the means to make the Government popular. Now-a-days the touch between the people and the administrators has ceased to exist. Even the District Officers are known by their seclusion. In former days they used to visit the country which they had to administer, enquired into their grievances, into their wants. Now-a-days these officers have become hushed up officers and the people cannot see them, do not see them and therefore cannot convey to them their wants and requirements. If the Members of the Executive Council had gone on touring the Government of the country would have become very popular instead of becoming unpopular. The amount is not large, in fact, I would have supported the motion even if it were many times more if we had an assurance that the Councillors would go about the country enquiring into the requirements of the people. But what strikes me as wonderful

is why should the pay of the Members be non-voted whereas the question of the pay of their staff and travelling allowance should be voted. This has given us an opportunity to express our opinion that we do not like the present system of administration and therefore all possible method for bringing the present state of things to an end should have the support of the House.

The Hon'ble Mr. A. N. MOBERLY : Sir, as the mover of this motion knows very well—and he pointed it out himself—it is not a subject for the Government of Bengal. The complaint which has been made is against the Government of India Act and we cannot take any steps towards amending it. The Executive Council—at any rate one Member of the Executive Council—is sorry to find that he is not giving satisfaction though he is trying to do his best and will continue to do so, but so long as the Act is in force the Executive Council will have to continue and they cannot make room for any other body until they are formally replaced by an amendment of the Act.

Sir, I am not going to express my individual views on the subject. In the first place I am very new to this job and in the second place it may be that what I say now will be brought up against me in future.

I may mention, however, that to the best of my recollection the Executive Council had been in existence for some time before the passing of the Government of India Act which grafted the diarchy on to the Executive Council and that the Executive Council was not invented as part of the system of diarchy.

I do not propose to attempt an elaborate defence of the Executive Council or even of my own portfolios. If I were to do so it would take considerable time and besides this is not the time to do so. Members will be given opportunities to criticise my own department and other departments in detail. I have no doubt that full advantage will be takeu of those opportunities.

Coming to this particular motion I should like to point out that if motions 31 and 32 had been moved instead of this one, it would probably have been more satisfactory for persons who wanted merely to criticise the Government of India Act. The effect of refusing this Rs. 19,000 under the head "Executive Council" will be that the menials who have to work under the Executive Council will be deprived of their pay, travelling allowances and hill allowances. The purpose of passing a censure on the Executive Council would have been equally achieved by carrying a Re. 1 cut. But I think that it is a mistake—at least it is not fair—that the unfortunate menials who cannot get up in Council and defend themselves should be deprived of their necessary allowances. I hope therefore that the Council will reject this motion.

Dr. BIDHAN CHANDRA ROY : Sir, do I understand that if this motion is carried, the cost would not be certified by His Excellency?

The Hon'ble Mr. A. N. MOBERLY : I cannot speak for His Excellency.

The motion of Dr. Pramathanath Banerjea was then put and a division was taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bajay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. N.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Nimatsingha, Babu Prabhu Dayal.
Noque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Ismail, Khan Bahadur Maulvi Muhammad.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Taraknath.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Syamdas.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Bhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. G.
Da, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Gutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. N.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. D.

Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. S. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 58 and the Noes 65, the motion was lost.

Babu NALINIRANJAN SARKER: I move that the demand of Rs. 19,000 under the head "22D.—Executive Council" be reduced by Rs. 100 (page 67, Civil Estimate).

From the nature of the cut proposed under this motion, you will realise, Sir, that it is not my desire to curtail the luxuries of the Members of the Executive Council to which they have been so long accustomed, for they are all honourable men and in this regime they must have their pompous luxuries. Nor again, Sir, do I desire to suggest any reduction of their numbers for they have, forsooth, such heavy responsibilities to discharge that the question of there not being sufficient work for a team of four does not arise at all.

Far be it from me now to touch them so directly. Mine is a constitutional issue seeking to alter the basis of their position, the nature of their office in this province—the replacement of the present system of diarchical Government by a unitary Government responsible to and removeable by the Legislature. I submit, Sir, I need not have sought for this opportunity to bring out this issue before this House if my resolution on this subject had met with a better fate than it did. I must here state that I am obliged to you, Sir, for your generosity in not disallowing the resolution altogether. It found a place in the agenda book after, of course, a series of pruning, in a mutilated form which bore but an anæmic resemblance to the original. But, Sir, as you know, some high personage who has been made unnameable and unmentionable by the constitution which you seek to administer and we seek to replace, has ordained it otherwise by virtue of his arbitrary powers conferred on him by the constitution. His plea was that the resolution of responsible Government in the province is not a subject of primary concern to this Government.

This, Sir, is typical of the powers wielded by the Executive Government.

The Executive Council forms the pivot of the present hybrid system of Government. The system of diarchy of which the Executive Government is the better and the powerful half has been condemned in no uncertain terms on many occasions on the floor of this House and outside it. It has been condemned by all shades of opinion—Liberals, Responsivists,, Co-operators, or Non-co-operators they all have used identical language in criticising it. So I need not again trot out the glaring instances which will illustrate the unsuitable and unworkable nature of the machinery imposed on us.

Government to be effective must be unitary and Government to be useful and benevolent must be responsible to the people they are to govern. Diarchy, however, Sir, gives us a government, one part of which is supposed to look downwards to the people for support, the other looking upward to White Hall for inspiration.

The ministerial half in charge of the Development Departments is expected to minister to the welfare of the people, while the Reserved half is bent on repressing the healthy growth of manhood in the province, in restricting the liberty of the bright young men that were contributing to the moral and material prosperity of our people. In this nation-killing activity of the Executive Council, some of our Ministers actively participate while others look on as dumb helpless spectators.

The Executive Council controls, again, the finances, the services and, above all, not an unsubstantial number of votes in the Council whose constituency is the Government House or the Clive Street. This arrangement of things naturally and automatically makes the positions of the Hon'ble Ministers simply dependent upon the good wishes of their master-*cum*-colleagues, the Members of the Executive Council. Under these circumstances the so-called popular branch of the Government is nothing but a subordinate adjunct of the irresponsible half. And the two can pull on together only to strengthen the hands of the irresponsible and irremovable bureaucracy. The programme of attacking it in its citadel is therefore a hollow myth. For those who are working it for whatever it is worth, there is indeed a plentiful harvest to reap. The Council is turned to a fertile field for intrigues, rivalries, mutual squabbles and recriminations.

Now, Sir, in order that the politics in this province might flow along healthy natural channel, diarchy must be replaced without any further loss of time by a system of unitary government responsible to and removable by the Legislature. The administration cannot be usefully carried on by an Executive Council that feels no necessity of

consulting the interest and opinion of the people. Nor can the administration be popular in character so long as it is actually conducted by officers who are ostensibly the servants of the public, but who are really their masters, not being responsible to the people but to an authority, six thousand miles away for their future promotion and prospects. The position of the Governor, Sir, must be remodelled on the pattern of a constitutional ruler in any of the provinces of a federal British Dominion. To-day the power exercised by the Governor is wholly inconsistent, Sir, with the principle of responsible Government.

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His position should be reduced to that of a guide, philosopher and friend. He should no longer remain the supreme arbiter and dictator.

Nor can the existing relations between the Government of Bengal and that of India remain intact. The responsible autonomous Government in the province would demand the modification of the so many restrictions that have been put upon the provincial Government. The authority of the Government of India over the provincial administration should be limited to an irreducible minimum.

Nor should the Government of India roll in luxury, while the departments here are practically being starved. The readjustment of the sources of revenue between the provincial and the central establishments has become urgent.

The Hon'ble Mr. A. N. MOBERLY: On the previous motion I have already pointed out that I do not want to discuss the constitutional questions which are not the concern of the Government of Bengal. I recognise that this cut is more in the nature of a vote of censure on the Government of India Act than the last one which aimed merely at depriving the menials of their allowances, but I cannot go into the constitutional question generally. I therefore formally oppose the motion.

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Remes Chandra.
Bakah, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Prametha Nath.
Banerjea, Mr. A. C.
Bannerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraborty, Babu Jatindra Nath.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Rai Narendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Baral Kumar.

Ghose, Babu Amarendra Nath.
Gupta, Mr. Jagesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.
Sulaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. E.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Habibullah, Nawab Khwaja.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. N.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. N.
Liddell, Mr. H. S.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Shah, Mr. Ghulam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 55 and the Noes 67 the motion was lost.

Babu BEJOY KRISHNA BOSE: I beg to move that the demand of Rs. 19,000 under the head "22 D.—Executive Council" be reduced by Re. 1 (page 67, Civil Estimate).

I have no desire to inflict a speech on the Council after what has been said on the subject when the last motion was discussed, but there are one or two things which I want to say in order to draw the attention of the House. My motion is exactly a motion of censure on the Government of India Act as has been put by the Hon'ble Mr. Moberly. We have every right to draw the attention of the Government of India through the Government of Bengal that we do not want the Executive Council and it is precisely for that reason that I wanted to move this motion which stands in my name.

There is one other aspect to which I would like to draw the attention of the House, namely, what has been pointed out by the Hon'ble Mr. Moberly that this Council has jurisdiction over the menials of the Executive Council but not over them, their masters. I do not know how to express my sense of resentment and the resentment of the Council over such a state of things. As a matter of fact these Executive Councillors are our masters and not our servants and it is the spirit of the Government of India Act. I should like to point out that this is a state of things to which we as self-respecting members of this Council cannot for a moment agree and therefore I say that the Government of Bengal will in no unmistakable terms tell the Royal Commission that this Council do not want the Executive Council. I feel that so long as the Executive Council consists of men who come in under different colour and different creed there is no chance of this motion being carried. Look at what has been done in Delhi the other day. The leader of the Responsivist Party in India, Mr. Jayakar, moved that the demand for the Executive Council of the Government of India be reduced not *by* one rupee as I do but *to* one rupee and this motion was carried. Look at what our Responsivist friends here are doing. They say that they belong to the same party of which Mr. Jayakar is the leader and Mr. Jayakar does one thing at Delhi and the irresponsible Responsivists in Bengal go to the Government lobby to work the reforms to be on the same side as, and brush their shoulders with, the Members of the Executive Council and the Ministers. Shame on these Responsivists of Bengal who vote on the side of Government and do not follow their leader, Mr. Jayakar! With these words I commend my motion to the acceptance of the House.

The Hon'ble Mr. A. N. MOBERLY: This motion has exactly the same effect as the last one and I do not propose to waste the time of the Council by saying anything further than what I said before.

The motion of Babu Bejoy Krishna Bose was then put and lost.

11-45 A.M.

Mr. PRESIDENT: Of all the motions from No. 33 to No. 67 it appears to me that No. 54 is the most comprehensive and I propose

to take that first. I, therefore, call upon Babu Jitendralal Bannerjee to move his motion.

Babu JITENDRALAL BANNERJEE: Mr. President, Sir, I beg to move the motion that stands against my name, namely, that the demand of Rs. 1,46,000 under the head "22E.—Ministers" be refused (page 67, Civil Estimate).

Sir, nothing in the whole of my political life has given me greater pleasure than that I should have the privilege of moving this motion to-day. It is not because I have any animus against any of the Ministers who occupy office at the present time; in fact, so far as one of them is concerned, I have, had, and shall continue to have—for some time at least—the greatest possible respect and esteem. Sir, it is not a question of personalities at all, but it is one of the deepest convictions of my heart that, by accepting office in the present state of things, the Ministers have placed themselves in a false and awkward position—a position in which they are like the fifth wheel of a coach. They cannot do any good to themselves: they can do enormous evil to the country and its cause: they are powerless for good but they are powerful for mischief. (Hear, hear.) That is the charge which I bring against them: and seeing that they are men of political experience—men who have in the past identified themselves with everything that is best and noblest in our national life—I feel ashamed to think that they should have so changed under influences, into the nature of which I should not like to fathom, they should have so changed as to accept office under the present system of Government, a system which they have been most eloquent in condemning in the past. Sir, the question of diarchy has been threshed out many times in this Council and I will not try to repeat the arguments that have been used often before. The chief and main argument upon which I take my stand is that the Ministers are powerless and impotent and that they cannot do any good to the country, handicapped as they are under the present constitution. And to-day I shall be able to place before the Council facts which have occurred within the last month and a half, and which will I think, amply bear out my contention.

Sir, it is sometimes said, "granting that the Ministers cannot do any good to the country, what is the evil that they do?" My answer is that the evil they do is threefold. First of all, they bolster up an evil and prenicious system; they give an artificial tenure of life to a system which might have died long before but for the continuance of such men in office. That is one of the evils they do. The second evil that they do is that they give the Bureaucracy an opportunity of letting it appear to the world that we are parties to this system of Government which we are not. This Government in the whole body of it, in the whole and entire system of it, is irresponsible to the people; and yet

the Hon'ble Ministers by accepting office under the present system almost seek to make it appear that there is some part of the Government which is responsible, and which is entrusted with responsible powers. The third evil that they do is that through themselves and through many people who are dependent on them—through many people whom they may benefit by their powers of patronage—they help to spread throughout the whole country the virus of insidious servility. That is the worst mischief which they perpetrate.

Sir, to return to my principal point. These Ministers are powerless and impotent, mere puppets in the hands of the Members of the Executive Council, and, I shall add, of their own Secretaries. Within the last one month and a half, since their acceptance of office, things have happened which will prove my charge to the hilt.

Let us take, first of all, the case of the Hon'ble Mr. Chakravarti.

As I said the other day, the Hon'ble Minister has all through his life been distinguished for his scrupulous regard for the economy of the public purse; and yet the very first act of his official career was to propose that this Council should sanction an expenditure of 33 lakhs of rupees for a stone-faced building. Did he like that? Did it appeal to his sense of economy? It could not possibly have done so. And yet he comes forward and makes this proposal, not because he likes it but because he has no other alternative; he has got to do it, or go out. It would have been more honourable, more consistent with his self-respect if he had gone out, even upon this comparatively trivial question, but he elected otherwise, he elected to sit tight upon his seat of inglorious pre-eminence.

Let me pass on to the case of the Hon'ble Hadji A. K. A. A. K. Gauznavi. (Laughter); I wish to give him the full glory of his plentiful initials. (Continued laughter.) All his life the Hon'ble Minister has posed as a zealous champion of the interests of his own community. Whether he has furthered the true interests of the community by so doing will come into question—will come into the fierce light of discussion—within the next two days. To-day I shall content myself with saying that it is he, more than anybody else, who has been responsible for much of the strife and confusion that now vexes the fair land of Bengal. Any way I take my stand upon the established fact that the Hon'ble Minister is a zealous champion of the privileges and rights of his community. But how has he discharged his part in this Council? Why, only the other day a Muhammadan member brought forward a resolution to the effect that a third Minister should be appointed, and he should be a Muhammadan. I did not care for the resolution myself; but how did the Hon'ble Minister, who has spent all his life in championing Muhammadan interests, behave? Did he vote for the resolution?

Had he the courage and strength of conviction to vote on the side of his co-religionists and members of his community? Nay, he sought to play the game—the safe and pleasant game—of sitting on the fence: he preserved his neutrality, but did not preserve his self-respect—that was gone beyond all possibility of redemption.

Sir, I shall once again mention the case of the Hon'ble Hadji A. K. A. A. K. Ghuznavi. A great champion of communal rights—how has he discharged his part here? Only recently there was that frightful massacre at Ponabalia. I shall not go into the facts of that deep and terrible tragedy to-day, but, as a Muhammadan, feeling for his community, as a zealous son of Islam, careful of the rights and privileges of his co-religionists, what was the plain and obvious duty of the Hadji Saheb? Ought he not to have come out at once from a Government under which such atrocities were permissible? Has he done that? We have yet to see.

But that is not all, that is not everything. Sir, only recently we discussed in this Council a question very dear to our hearts, the question of the release of the détenus. That was a question which would appeal not to this section of the House or that, it would appeal to all who have within them the instincts and bowels of humanity, to all who care for the interests of individual liberty and the maintenance of civil rights. But how did the Ministers behave—Ministers who profess to be representatives of the people? They remained neutral: that is how they sought to save their face. Was that their proper attitude on such an occasion as this—when the liberties of the people were in question, when the best and the bravest of the land were pining in the solitude of prison cells? You sit upon the fence, you sit tight upon your ministerial benches, you sit tight upon your neutrality! Is neutrality the proper attitude of a patriot at such a supreme crisis of the nation's history? Should that be the attitude of anybody who claims to be the representative of his countrymen?

Sir, I think of the great and spacious days of the year 1918. In those days also there was intense agitation against the wrongful system of confinement without trial. I remember with gratitude that the Hon'ble Mr. B. Chakravarti took the position of lead and guidance in that deep and intense agitation; and those days I was proud to be reckoned as a humble camp-follower of his. But between 1918 and 1927 what a painful gulf, what a deep and yawning chasm! To-day, we are ashamed to think that the Hon'ble Minister has ceased to care for the liberties of the people, for the privileges of the oppressed!

I, therefore, appeal to the Hon'ble Minister if I can appeal to no one else—I appeal from Phillip drunk to Philip sober—I appeal from the Hon'ble Mr. Chakravarti, the Minister, to Byomkes Chakravarti, the man—and the burden of my appeal is this: "Come down, descend,

be stone no more". Respond to the cries of your countrymen, respond to the call of humanity, resign that inglorious seat of power where you are utterly unsuited, where you cannot but play the part of a glorified slave—yea, come down; take your stand with us, and together we shall rise or fall, battling for the cause of humanity and liberty. With these words, Sir, I commend my motion to the acceptance of the House.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: Sir, before the discussion proceeds any further, I feel it my duty to say a few words, not for any political purpose, nor with any violent gestures.

The first point is that the present Ministry is one with joint responsibility. Any votes which affects one Minister will also affect the other. It has been insinuated that the present Ministry means Hindu domination.....

(Cries of "Question".)

Rai HARENDRANATH CHAUDHURI: No one has said so.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I hope my friends will allow me to go on.

Mr. PRESIDENT: I think it is but fair that the House should allow the Hon'ble Minister to go on uninterrupted.

Rai HARENDRANATH CHAUDHURI: On a point of order, Sir. Can he say "It has been said" when that has not been said?

Mr. PRESIDENT: If he said anything to which you take exception, you will have ample opportunity later on of having your say.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: The fact that the Ministers have undertaken joint responsibility and that they derive support from Muslim as well as Hindu members ought to be a complete answer to the charge. The present Ministers have been in office too short a time to lay down policies affecting the departments in their charge. They have had no hand in shaping the present budget which was drafted before their appointment.

A VOICE: In voting they have had a hand.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: Then, again, if we continue in office it will be our policy to be guided by the principle of justice to all communities (hear, hear), particularly the two principal communities of Muslims and Hindus. I trust the Ministers with their joint efforts will be able to alleviate, if not eliminate, the communal tension which is eating into the vitals of our society.....

Rai HARENDRANATH CHAUDHURI: Such as the Ponabalia tragedy.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: Before I conclude, I desire to assure my Muslim brethren that I am convinced that our onward march towards responsible government cannot be effective so long as our Muhammadan brethren and our brethren of the so-called depressed classes do not receive the light of knowledge and education. I feel from the national point of view it is of utmost importance that we should as early as possible bring our Muslim brethren and our brethren amongst the so-called backward classes to the same standard of education and culture as the more favoured portion of our population. It will, therefore, be my endeavour to provide special facilities for the expansion of Muslim education. The bulk of our Muslim countrymen are poor. It will, therefore, be necessary to provide scholarships and grants to encourage and stimulate education amongst them.

12 NOON.

Expansion of education amongst the Muslims will mean that they will require more accommodation not only in colleges and schools but also in hostels. These will have to be provided not in the sacrifice of existing accommodation for the Hindu boys but by setting apart money for such purposes.

Babu AKHIL CHANDRA DATTA: Sir, is it within the competence of the Hon'ble Minister to indulge in this sort of canvassing?

Mr. PRESIDENT: He is not canvassing. He is simply making a forecast of his policy.

Babu AKHIL CHANDRA DATTA: What I submit is whether the Hon'ble Minister is entitled to lay down his future policy on this motion.

Mr. PRESIDENT: It is not for you to lay down what the Hon'ble Minister should or should not do.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: If our Muslim brethren lag behind in education, the position with regard to our Muslim sisters is still more deplorable. You know, Sir, that female education, even amongst my community is in a very backward state. The House will realise at once the deplorable position of female education amongst our Muslim girls when I tell the House that how educationally backward the Muslim girls are. As against 98 per cent. of the Hindu girls only 2 per cent. of the Muslim girls are receiving education in the secondary and collegiate branches. The problems of

education of Muslim girls stand on a very different footing from the problems of education amongst Hindu girls as the social systems and other conditions of education differ. It will, therefore, be my endeavour to start as early as possible at least two educational institutions suitable for the needs of Muslim girls.

There is yet another aspect of Muslim educational problems which in the short tenure of my office has been pressed upon my notice. Many amongst the reasonable section of the Muslim community feel that under present conditions they do not possess adequate opportunities for representing their view point in the matter of University education. Although as a Minister my powers are circumscribed by the present University Act, yet I will assure the House that it will be my endeavour to provide for adequate participation of Muslims in the Senate of the Calcutta University with due regard to educational interest. It will also be my endeavour to pursue a policy of expansion of education amongst the backward classes.

In working out the details of policy I and my colleague if we continue in office will arrange to have the co-operation of advisory committees consisting of members from different groups in the House to advise us in these matters.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, on an occasion like this, it is almost impossible to give a silent vote. Many of my friends came to this Council to support the diarchical system and the Government knows perfectly well that so far as Muhammadan members are concerned they are ready to support the diarchical system of Government. But the feelings among the Muhammadan community have changed since certain developments have taken place. They have taken place since the appointment of the Ministers. I hope I would not be taken as a communalist but as one who thinks of this country as an Indian should think of and that from the standpoint of an Indian nationalist. Speaking from that standpoint I can only say that I take it to be a calamity that there have been so much controversies, so many different statements regarding the Ministerial appointments. The Ministerial situation has been further complicated in view of the conflicting statements one after another. Sir, it is the privilege of the House to decide as to what measure should be brought in before the Council and what should not be; it is the privilege of the House to determine as to what should be the policy of the Ministers—be he a Hindu or a Muhammadan. But I certainly protest against the idea of a few gentlemen taking upon themselves the responsibility of what the policy of the Ministers should be and from that point of view I strongly condemn Sir P. C. Mitter alone laying down the Ministers' policy with reference to separate electorates in self-governing and other bodies. That is a privilege of this House alone and even Sir P. C. Mitter has no right to

dictate terms to the ministers Sir, I regret the discussion has been shifted to minor issues. I shudder to think how personalities have been brought into the bargain but if I am tempted to vote against the Ministry though I came here to support the diarchical system of Government, I must make it clear that I stand to-day to protest against one gentleman dictating terms as to what should be the policy of the House itself.

Sir, I am very glad that Hon'ble Mr. Chakravarti has made certain declarations to-day. But I wish his declarations could have come a little earlier. We have been taught in the politics of this country not to be a communalist but to be a nationalist, to think of India as a nation, to think of India as an Indian, but I am amazed to find that immediately after his appointment as a Minister, Mr. Chakravarti gave out in a declaration that as a Hindu nationalist it would be his duty to protect Hindu interests just as it would be the duty of a Muhammadan Minister to protect the Muhammadan interest. I had to rub my eyes and asked myself as to what things were coming to, whether it was the same Mr. Chakravarti whose hoary advice we used to follow in past days who had made that declaration. I protest against the idea that we in this House should consider our duties from the standpoint of Hindus or Muhammadans. We are here as representatives of the people, Hindus, Muhammadans and Europeans, with a view to decide what our onward march would be. From that point of view Mr. Chakravarti's policy must be strongly discountenanced.

I also consider it to be a calamity that Sir P. C. Mitter, who, more than any one else, is responsible for the unpopularity of the Ministry, should have declared that Sir Abd-ur-Rahim had intentionally insulted the whole Hindu community. That phrase is his own. I protest that so far as this House is concerned a Minister as soon as he takes up office, be he a Hindu or a Muhammadan, should be said to be insulting the interests of any community. As soon as he takes up responsibility no question of community comes in. I was therefore amazed to see Sir P. C. Mitter making a declaration that Sir A. Rahim had insulted one particular community. In deciding this question I wish this communal issue should be avoided. I wish that things should be looked into not from the Hindu or Muhammadan or European standpoint but from the standpoint of the future State that is coming. It was a calamity that Sir P. C. Mitter took upon himself the responsibility of deciding what the policy of the Ministers should be. I see that Sir P. C. Mitter is nodding. I hope he has realised by now that the duty of a Minister is not merely confined to particular persons or to particular communities. I will quote a passage from his declaration. Sir P. C. Mitter said—"that the feelings of the members of his community—a large section of the Hindu public—is that they had been deeply humiliated and insulted and that during the lifetime of the present

Council there should not be any legislation for special electorates". Sir, I am frank enough to admit that so far as the Muhammadan community is concerned they as a community are pledged to separate electorates. You may give it to them or not but so far as the Muhammadans are concerned they desire that separate electorate should be given to them. Keeping that in view, I think, Sir P. C. Mitter has been doing too much for his country and I cannot but think that it would have been better if he had done a little less.

One word more and I have done. So far as some of us are concerned our votes for this resolution should not be taken as a vote against diarchy itself. It is to be taken from the point of view of the personnel of the Ministry. I would have been prepared to support this Ministry or any other Ministry and am prepared to do so, but the manner in which the Ministry has been appointed and the method in which they have been given office have made the Muhammadan members think before they can vote on the matter.

Mr. S. C. BOSE: In rising to support the motion of my esteemed friend, Babu J. L. Bannerjee, I do not propose to say more than a few words. At the outset I would like to remind the House of what the Select Committee of the Lords and Commons of Great Britain said regarding the appointment of Ministers. In clause 4 of their report they say that "they are of opinion that the Ministers selected by the Government to advise him on the transferred subjects should be elected members of the Legislative Council, enjoying its confidence and capable of leading it". Mark you the words "enjoying its confidence and capable of leading it". Sir, as we all know, there are 57 Hindu members in this House. May I ask the Hon'ble Minister for Education how many Hindu members of this House he enjoys the confidence of, not to speak of his being capable of leading them? There are 39 Muhammadan members of this House. May I ask the Hon'ble Minister for Local Self-Government as to how many Muhammadan members he enjoys the confidence of, not to talk of his capacity for leading them? It really comes to this—that the Ministers who choose to call themselves popular Ministers have to enthrone themselves on the strength of the 44 Government and Government nominated members. People's ministry, no doubt!

Sir, the Ministers are sought to be supported by what looks like a mosaic column, built out of the ruins and remnants among the Hindu and Muhammadan members of the House and the 44 Government and Government nominated members—a miserable mosaic without any cement which offends the eye-sight, which offends against all ideas of responsible and representative Government and makes what is called representative Government a mockery and a source of confusion!

I will not detain the House with an enunciation of the principles and the programme of the Congress party. They have been enunciated in this House by persons worthier and more competent than myself. But may I, with the leave of the House, just read out to you the principles and programme of the.....

12-15 P.M.

Responsivist party? May I read to you a passage from the manifesto which was sent out from 9, Elgin Road, Calcutta, and which appeared in a paper of which the Hon'ble Minister of Education was until lately the editor-in-chief? The manifesto runs thus: "For a long time I have had opportunities of serving our motherland along with leading political sufferers headed by men like the late Jatindra Nath Mukherjee, Srijuts Amerendra Nath Chatterjee and Satyendra Chandra Mitter. Still I claim friendship with many of them. So it is impossible for me to support ministry without making any provision for the release of political prisoners." This emanated from a friend and follower of the Hon'ble Minister for Education whom evil-minded people have often described as the power behind the throne". Then the manifesto goes on: "Personally, I am not working for ministership. I shall support ministry," mark you the words—"if it promotes the good of the country and if it can be accepted on the lines laid down by Deshbandhu Das with the approval of the representatives of the country and on honourable terms." Did the Hon'ble Minister for Education, who was until lately the leader of the Responsivist party, fulfil the conditions before he rushed forward to accept ministership? Let us see if his acts belie his pretensions, or not. The first act of the Minister, if I may so describe it, was to remain silent when the resolution for the release of the political détenus was moved in this Council. The laws of the land, I mean the ordinary laws of the land may be violated, the lives and liberties of the subject may be taken away, slowly but surely; but the mouths of the Ministers remain closed; they preserve a stoical indifference. May I not say in the words of the leader of the Hungarian Non-co-operation Movement, when there was a state of war between Austria and Hungry: "Woe, woe to the nation which raises no protest when its rights are outraged; it contributes to its own slavery but its silence". I say, Sir, and I repeat the charge here, that the Ministers have contributed to the slavery of this House, to the slavery of this country, by their silence at the time when the resolution for the release of political détenus was moved. Then, Sir, may I come to the second act of the Minister, about which my learned friend, Babu Jitendralal Bannerjee has spoken, and that is the question of the brazened-faced—I beg the Minister's pardon, the stone-faced—building which the Hon'ble Minister was put up to support. Was it the second piece of constructive work which he intended to do as a Minister under the Crown? Does he really mean

to say that by erecting that stone-faced building he was going to push forward the constructive work for the good of the country? Now, Sir, about the third act of the Minister, which took place only yesterday, *viz.*, that in connection with the band and the bodyguard of His Excellency the Governor. I heard the Minister to say this afternoon that either he was going to lead the country in its onward march towards freedom, or he was going to help the country in its onward march towards freedom. Does the Hon'ble Minister mean to say that in that onward march towards freedom the Governor's band and bodyguard are necessary, that the country could not march towards freedom without the inspiration of the Governor's band and bodyguard? Now, Sir, I come to the fourth question, and that is the interests of the Hindu community. We, on this side of the House do not lay any great stress on narrow Hindu interests, or narrow Muhammadan interests. We seek to interpret those interests in the light of the higher and nobler national interests; and may I, Sir, in this connection offer my humble congratulations to the hon'ble member who just sat down, I mean Khan Bahadur Azizul Haque, for the clear enunciation of the policy from his side of the House. Now, Sir, I will take the Minister at his word. It was said over and over again in the paper of which he was the editor-in-chief that unless the members of the Responsivist party accepted ministry the interests of the Hindus would not be safe. May I ask the Hon'ble Minister as to what he has done—he and his colleagues—to allay public discontent in Pabna and Patuakhali? May I ask him what reply he gave to Srijut Satindra Nath Sen, the leader of the Patuakhali Satyagraha movement? May I ask him what his colleague has done to allay the discontent over the Ponabalia incident? Have they, or either of them raised their little fingers to allay public discontent?

Now, Sir, one word more and I have done. Before I resume my seat, may I ask the Hon'ble Minister for Education, to take his place once more—his honoured place he had in the councils of the people, the honoured place he had during the lifetime of Deshbandhu Das? We ask him to come back to us, to take once more his honoured place and to lead the country in its onward march towards freedom. Let him not, I appeal to him, barter away his country's right to freedom for little patches of gold and ermine and Rs. 64,000 of the poor taxpayers' money.

Sir ABD-UR-RAHIM: In supporting this motion, it is necessary that I should say a few words; but I shall be as brief as possible. The public and, I take it, most members of the House, are aware of the circumstances in which the present Ministry was formed, and they are also aware that I had to play a not unimportant part in the drama that was enacted. I shall, in defining my position, just say this that so far as one of the Hon'ble Ministers is concerned, I mean the Hon'ble

Minister for Local Self-Government, the entire Muslim public opinion is opposed to him, and I ask the Hon'ble Mr. Moberly, who is in charge of the Political Department, to say if that is not the fact. I say the whole of Muslim public opinion is opposed to the Hon'ble Minister for the ignominous part he has played in this matter—not only Bengal Muslim opinion but I say the entire Muslim opinion of India has looked upon what he has done as a mean act of treachery against the community that he is here to represent. Let the Hon'ble Mr. Moberly deny this. If this is the fact, then Mr. Ghuznavi ought not to occupy that seat for one moment longer. I know of only one paper, *viz.*, the *Dainik Tarrakki*, which has given some sort of support, but that is his own paper, financed by him and run by him. Otherwise the entire Muslim opinion is against him; the Government is aware of this. I ask again Mr. Moberly: Is not the Government aware that there is intense agitation in the community over what has happened? Is not Mr. Moberly aware that it is a perfectly *bona fide* and spontaneous agitation? Can he say "No". Next I ask Mr. Moberly, who has asked for this grant, whether it is not a fact that there is full justification for this spontaneous and *bona fide* agitation in the community? You know, Sir, under what circumstances this Ministry came into existence. When His Excellency the Governor called me and asked me to accept office, he told me, as has been made public, that Mr. Chakravarti has also accepted office. After consulting some of the leading Muhammadan gentlemen I said, "yes". I knew that Mr. Chakravarti belonged to the party of militant Hinduism, that is those who called themselves nationalists at times, but I thought that it was up to me to offer him co-operation and I did so, so that there might be no room for any difference, and we could smooth the tension that had arisen between the two communities. I issued an appeal to the public to that effect. But what did Mr. Chakravarti do? On the next day, he told His Excellency that he declined to work with me after having verbally agreed to do so, and why, because his followers—I do not know how many he has, perhaps half a dozen—refused to give him support if he accepted office with me. Can the Hon'ble Mr. Moberly or Mr. Donald deny that this was not due to sheer communalism on the part of some of his followers? Can anybody deny that? So far as I am concerned, whatever distrust I might have had of the Hon'ble Minister for Education, I was willing to waive that and my supporters would have supported him, but he and his supporters were not willing to co-operate with us. Then what happened was Mr. Ghuznavi jumped in at once as soon as I tendered my resignation. I had to tender my resignation, because I could not get a non-Swarajist Hindu to accept office with me. There was no other alternative for me but to resign. Although Sir Provash Chandra Mitter worked with me for years, he even did not help me, and Sir Provash Chandra Mitter at least knows that the charge against me of communalism or of trying to injure Hindu interests is

an utter falsehood. When Mr. Chakravarti was told by his followers not to accept office with me because of my narrow communalism, he could have asked His Excellency, and His Excellency would have told him that it was an absolute falsehood, that I tried most patiently and conscientiously to advance national interests, and there was no Indian did so more than myself in the Government throughout. I ask the signatory to the Rowlatt Report to deny this. He was capable of signing a report like the Rowlatt Report but not of writing a note of dissent to the Public Services Commission such as I did. Yet, Sir Provash Mitter and Mr. Chakravarti gave out with their followers—a dozen or so—that I was not the proper man to work with.

2-30 P.M.

I have stated how Mr. Ghuznavi jumped in. Mr. Ghuznavi is also said to be a communalist. Then what virtue was there in him and why was he accepted? Let the Muhammadan Councillors answer that. The Muhammadan community has answered that because Mr. Ghuznavi would be a tool in the hands of Mr. Chakravarti; he is nothing else and who does not know it. Was there any physical disability or any intellectual disability in me that deterred Mr. Chakravarti, or Sir Provash Mitter from offering their co-operation? Was I suffering from old age, decay or have I ever broken down mentally? Have I? It is merely an attempt to disable me from public life, to drive me out from public life, but they will never do that. I am told that I have become a thorn on the side of Government but I assure the Government and I assure the whole House that so far as I am concerned that is not so. Let the Government benches state to the Council if on any important question I deviate from the attitude which I always persisted in while I was in the Government as a Member. I will not labour the point any further. This Ministry is built on intrigue. The Hon'ble Mr. Ghuznavi may have a few hired votes but that will not help him. The whole community is against him and he will have to go down, he cannot play the tool of Mr. Chakravarti for long with impunity. I am going to supoprt this motion although I know it means that the entire demand for the Minister's salaries will be refused. It is not inconsistent with what I repeatedly declared. I will repeat to-day to the members of this Council what declaration of policy I made at the time of election: "I must say that if a sufficient number of Indian members of the Legislative Council apply themselves earnestly to constructive work very good results may be achieved even without Ministers. In proof of this I point to the Legislative Assembly which has to its credit important achievements though there had been no Ministers there. Some might say because there were no Ministers." I am of that opinion. "No one will deny that the Ministers have to face very grave difficulties which I pointed out in some detail before the Muddiman Committee and the prospects of being called upon to hold one of

those offices cannot evoke much enthusiasm in the breast of any well-informed politician. Certainly it would not in mine. I must also frankly state that the Mussalmans of Bengal are resolved to be no longer mere dependents of any Hindu organisation. They are equally resolved not to be at the beck and call of Government. They as well as the rest of the Mussalmans of India are now determined to close their ranks and to stand firm on their legs and to offer friendly co-operation to either in the cause of Indian political advance with a view to promoting the welfare of the people. They will not flinch from offering opposition to Government or to any political party in the Council, whenever it may be necessary to do so in the interests of the country or for the protection and advancement of interest of their own community ". That being so and that being our political creed there is nothing inconsistent if we on this occasion join hands with the Swarajists to throw out the demand. (Hear, hear.) It has become absolutely clear from the way this Ministry has been formed and from the history of the last two Ministeries that it is not possible to have a proper Ministry that will do real useful work so long as the Swarajists do not lend their co-operation. We do not believe that with a handful of elected members of this Council making up a margin of 4 or 5 can do any useful work and so long as the Swarajist members of this Council do not lend their co-operation it is not possible to carry on a decent Ministry.

Mr. W. C. WORDSWORTH: The attitude of this group to the constitutional question embodied in this resolution is well known but repetition is not banned in politics and the House is certainly inured to repetition on this question. I may therefore say once more that this group sees in the proper working of the constitution as now established the one way of seeking political health and political progress in Bengal. We think that the political machine that we now have should be worked as well as possible so that we may know its strength and its weakness and we think that to refuse to allow it to function and then to cry out upon it as inadequate, as not satisfying the conditions of India, is illogical and futile. This is the fundamental position. My leader, knowing that I have not Mr. J. L. Bannerjee's gift, of discursive eloquence, has asked me to speak on this resolution specifically so far as it concerns the Department of Education. In a sense the European group might be regarded as standing detached from the question at issue. European education in which we are naturally interested is reserved by the constitution—it is sheltered and secluded and it is not affected by the fate of the resolution. Whether we retain the Ministry or whether we reject the Ministry European education goes on as it has been going on for the next three years. Whether this is well or not, opinions may differ—in fact we even differ among ourselves, and there are some who think that if the House had more freedom in

discussing European education we should not have down on the agenda paper four motions from one member who would reduce the humble provision of Rs. 12 lakhs by Rs. 9 lakhs as his contribution towards the welfare of this province. But we are interested not only in the education of Europeans but some of us equally in the education of Indians also and in obeying my leader's instructions to speak on this point I am also gratifying my personal inclinations.

I speak with some natural embarrassment remembering the incredible things I have suffered at ministerial hands, but I am able to set against that the advantage that by being transformed from an official into what Government technically call an outsider, I can look at the education problem from without, as from within, and I give the House my reasoned convictions that it would be a great disservice to the cause of education if we were to abolish the Ministry. We have been given a certain constitution for a certain purpose. Many people do not like that constitution and would force us back to the emergency clauses of the Government of India Act which they say means sending back Bengal to the conditions that obtained some years ago. I do not accept that point of view. The conditions some years ago were quite unsatisfactory. The administrative system was felt to be too small and to uninspired for the needs of a great and growing country, and diarchy was set up. If you abolish the Ministry and return education purely to the old Secretariat administration, you do not return it to the old machinery but to something that had been dwarfed when the diarchy was established. Diarchy gave important powers to the Ministers and so lessened the dignity of the machinery subordinate to them and when a thing is lessened in public estimation it is also lessened in its capacity for doing work. We cannot restore the old values and if this resolution is accepted we go back not to the system of a few years ago but to a system that so far as I know we have not had in recent times in India. Now why should the House wish to abolish the constitution? Many here are pledged to vote for this resolution because of their loyalty to a programme of negation. We admire this loyalty while we condemn the programme but we know that there are personal questions at issue which make discussion on this topic very difficult indeed. The European group stands entirely apart from these personal matters; we view this question dispassionately. As a principle we stand for the Government as now established. We believe that the Ministry is required for the political—and from my present point of view—for the educational interests of this country, and we consider that the House will be doing a great disservice to this province if it accepts the motion now before it.

Sir, the Minister has a very large field in front of him. His problems are many; they concern University, secondary, primary education and also that branch of education which we delightfully call in Bengal female education. Of late there has been great activity amongst the

women of this province and elsewhere and I recently came across a definition of education laid down by a meeting of women which called upon their Government to give them a system of education worthy of the name of education, which is a tredendous demand, and worthy of Indian womanhood, which is an impossible demand. But the Minister must do his best with these problems and when we support him we anticipate for him no easy life.

12-45 P.M.

There is all the work of the University. The Minister will be an ambassador from this House to the University—an ambassador from Government to the University. It will be part of his function to assure the University that we appreciate all that it is doing for the province and to assure our newer University at Dacca that we appreciate its efforts also. In secondary education there is a Bill to be produced—we do not know when. Rumour says that attempts will be made to make this Bill a purely University Bill: another rumour says that attempts will be made to make it a purely official Bill. I have not yet heard any suggestion that the general public, who are interested in the schools and who do so much to maintain our secondary system of education, are to be consulted. That will be the Minister's function. He must adjust these claims and conciliate all the rivalries. Then, again, there is primary education. We have heard a great deal in this House and elsewhere of primary education during recent years, but hitherto there has been very little except eloquence. We are promised a Bill. This problem in itself is one of the most difficult. It is not necessary for any one here now to pledge himself to this or that point of view. We shall have ample opportunities, I imagine, of seeing what we can do to help the spread of primary education, and I for one am not at all unaware or unappreciative of what has been done in Calcutta by the Corporation—by many members opposite—to extend elementary education. Here in this big city we find education growing, not under any system of compulsion, but because the Corporation by wise measures has cultivated—has developed—the habit of school-going, until in a reasonable time we may expect to have universal education in this city without compulsion, and that is the very best solution of the problem. There is much more that I could say to indicate the nature and the burden of the duties that await a Minister of Education, but I have said enough, I hope, to convince the House that we here have good reason for supporting the Ministry and for hoping that the personal question that has arisen during this debate will not influence the House in deciding on so fundamental a principle as that which underlies this motion.

The Hon'ble Mr. A. N. MOBERLY: I shall be brief, Sir, but I wish once more to make the effect of this motion quite clear. This motion is for the total refusal of the demand of Rs. 1,46,000 under

the head " 22E.—Ministers ". Although speakers to this motion have spoken mainly against the present Ministers, the effect of this motion, if carried, will be that there will be no Ministers at all. I repeat, as it appears from the speech of Khan Bahadur Maulvi Azizul Haque even in this debate, that the point does not seem clearly to have been understood—I repeat that any one who votes for this motion will be voting against diarchy and against the reformed constitution. He will not merely be voting against the present Ministers. This is the fact, and nothing that members can say or intend, and no mental reservation that they may make can alter it. (Hear, hear.) If this motion is carried there can be no Ministers at all. I would remind this Council that less than two months ago it expressed its opinion that there should be Ministers, and on this point no ground has been put forward in this debate which could not have been put forward then.

Mr. JOGESH CHANDRA GUPTA: Mr. President, Sir, the other day when I was speaking on the budget there was a significant fact which I wanted to bring to the notice of this House and that is this. Reading the budget we find that during the two years the Transferred Departments were without any Ministers, more money had been allotted and spent on those Departments. The Hon'ble the Finance Member was pleased to admit that that was so. If that is so, then much of the argument that the Ministers can do more good than when those Departments are administered as Reserved Departments at once falls to the ground. I do not think I need detain the House any longer, because we want to go to voting immediately.

Rai JADUNATH MAZUMDAR Bahadur: Sir, it is only the other day that we decided that we should have Ministers, and this House voted, with a few exceptions, for the Ministers' salaries.

Babu NALINIRANJAN SARKER: After the elections.

Rai JADUNATH MAZUMDAR Bahadur: What has happened in the meantime that we should change our minds? What has happened, I ask those who voted for the salaries of the Ministers that this House should now go against the Ministers? Is it against the Ministry or against the personnel of the present Ministry? (Cries of " Ministry, Ministry ".) The Swarajists say " Ministry ". I hope the Swarajists will not behave themselves in this way by interrupting all who rise from this side of the House.....(Cries of " Order, Order ".) Mr. President, I request your protection against the interruptions of the Swarajists.

Mr. PRESIDENT: Order, Order. The hon'ble member should be allowed to go on with his speech.

Rai JADUNATH MAZUMDAR Bahadur: It is no use, Sir, condemning the Ministry: the Ministry has already been approved by the House. (Cries of "By you".) The entire Hindu community has approved of it. The Muhammadans, who form the majority of the population of this province, have approved of it, and only a few Swarajists, who represent only a few Hindus, (Laughter), have not approved of it. Some of these Swarajists say that they are neither Hindus nor Muhammadans. (Cries of "Order, Order".) I repeat some of them say that they are neither Hindus nor Muhammadans. I read the other day a statement issued by the hon'ble Babu Akhil Chandra Datta and the hon'ble Mr. J. M. Sen Gupta that they were neither Hindus nor Muhammadans.....

Babu AKHIL CHANDRA DATTA: On a point of order, Sir, I am not "hon'ble".

Rai JADUNATH MAZUMDAR Bahadur: I shall call you hon'ble as long as you are here. Therefore, Sir, when they—one of them is the leader or the so-called leader of the Bengal Provincial Congress Committee, and the other is the Leader of the Opposition—when they say that they are neither Hindus nor Muslims, they represent no body and I think I and others on this side of the House have more right to represent both the Hindus and the Muhammadans of this province. Sir, they are fighting amongst themselves outside this House and it is only natural that they should show their pugnacious habit here also. It is only the other day that Babu Jitendralal Bannerjee, the rival President of the Bengal Provincial Congress Committee, was about to be hit, or actually hit, by his opponents. I am justified in saying that our young friends—the Swarajists—represent nobody. (Laughter and ironical cheers.) Now, Sir, what I ask you to consider is this (continued interruptions).....

Mr. PRESIDENT: Rai Bahadur, will you please resume your seat? (Cries of "Obey the Chair".) Order, Order! I hope the members on this side (Left) will allow the member to go on with his speech. If he is interrupted in this way, I am afraid, it will be utterly impossible for him to proceed.

Rai JADUNATH MAZUMDAR Bahadur: Whenever we discuss a question we should discuss it with dispassion and detach ourselves from personalities. Let us consider the matter whether it is right or wrong to have a Ministry in this Province. Bengal was without any Ministry for some time. It has been said to-day by one of my friends on the opposite side that the Ministers did not spend the money they had. Where was the Ministry to spend the money? How could the Ministers work since you drove them out? You drove out two Ministries one

after another. The result was that the work of the Ministers had to be done by the Executive Councillors, and, therefore, the Ministers had no opportunities for spending the money. You did not allow the Ministry to work and you are now finding fault with them. In this case you are not giving a chance to these two gentlemen to work and you will say later on that they have not spent sufficient money in the Transferred Departments. Now, Sir, it has been said that during the last two months the present Ministers have shown themselves up very badly. So, I come to the personnel. One of my very eloquent friends Babu Jitendralal Banerji, for whom I have always entertained some affection, rose up and said that Mr. Chakravarti came up with a proposal for a stone-faced building. I think that Babu Jitendralal Bannerjee has lost all sense of humour. He did not at all understand what Mr. Chakravarti said. Mr. Chakravarti, as a matter of constitutional practice, approached the House to give its opinion on the matter, whether they liked the proposal or not. He did not act under the orders of the Executive: he rather gave this House an opportunity of saying what they wanted.

Mr. JOGESH CHANDRA GUPTA: Is the member entitled to show his thumb?

Rai JADUNATH MAZUMDAR Bahadur: Again, he said Mr. Chakravarti did not vote for the release of the detenus. But he should have understood that the Minister by abstaining from voting showed that he did not approve of the detentions. The fact of his not voting with the Government proves his independence. And then, again, my friend says that Mr. Ghuznavi also did the same thing. I say he also did the right thing. When a Minister does not approve of the policy of the Government on the Reserved side, what is he to do? The best thing for him is to abstain from voting and this is quite constitutional and in accordance with the convention in the matter. Again, he said that Mr. Ghuznavi..... (Cries of "Divide, Divide".)

Babu AKHIL CHANDRA DATTA: May I ask the hon'ble member whether there is any such rule that if the Ministers do not agree with Government or any matter they have not the right to vote against it?

1 P.M.

Rai JADUNATH MAZUMDAR Bahadur: I say they have acted perfectly in a constitutional manner and in accordance with the rules.

Sir, Mr. Ghuznavi is said to have excited communal feelings but if he says now that he does not want to do so again even if he had done it before, then we should have no grudge against him, rather we should have respect for him. Sir Abd-ur-Rahim's wild and impassioned speech to-day shows that he is not now in his normal and right state of mind and senses.

Mr. PRESIDENT : I think it is right that the question should now be put. I should like to know if the Hon'ble Mr. Moberly would like to reply

The Hon'ble Mr. A. N. MOBERLY : No, Sir, I do not like to reply.

Sir PROVASH CHUNDER MITTER : I should like to say a few words.

Mr. PRESIDENT : I am very sorry, Sir Provash. Now that I have decided to put the question you had better not speak.

The motion that the demand of Rs. 1,46,000 under the head "22E.—Ministers" be refused was then put and a division asked for.

Dr. KUMUD SANKAR RAY : Sir, before you declare the result of the division I want to bring to your notice that two gentlemen whose names I have mentioned to you, Rai Bahadur Jadunath Mazumdar and Mr. Razaur Rahman Khan, were sitting on the steps of the ladies' gallery when the doors were closed. I want your ruling whether their votes will be counted.

Rai JADUNATH MAZUMDAR Bahadur: Sir, Babu Naliniranjan Sarker was standing in front of me and when I was requested by the Chair to sit down I had no other alternative but to sit down on the floor as there was no seat.

Mr. PRESIDENT: It is not at all objectionable for a member to occasionally sit on the ladies' gallery which is within the House. I decide that the votes of the two members will be counted.

The division was then taken with the following result :—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nawsher.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Premotha Nath.
Banerjea, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Himatsingha, Babu Prabhu Dayal

Hoque, Kazi Emdadul.
Hosain, Nawab Mucharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Ismail, Khan Bahadur Maulvi Muhammad.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Nem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Adams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamka.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. B. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. B. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. N.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Chaudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukarji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. G. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sashee, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Gova Prosad.
Sarker, Rai Sahib Rohati Mahan.
Sen, Mr. Satish Chandra.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 59 and the Noes 73, the motion was lost.

Babu AKHIL CHANDRA DATTA : I beg to move that the demand of Rs. 1,28,000 under the head " 22E.—Ministers (Transferred) —Salaries of the two Ministers " be refused.

For obvious reasons I do not want to make any speech on this motion.

The Hon'ble Mr. A. N. MOBERLY : The effect of this motion, if carried, will be precisely the same as the last one. If this motion, which refuses totally the salaries of the Ministers is carried, there can be no Ministers.

The motion of Babu Akhil Chandra Datta was then put and a division taken with the following result :—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Pramotha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Mr. M. Ashraf Ali Khan.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Sarat Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Doyal.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Ismail, Khan Bahadur Maulvi Muhammad.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Sulaiman, Maulvi Muhammad.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamba.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. B. J.
Cooper, Mr. C. S.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. S. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.

Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Gaiam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. Satish Chandra.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 58 and the Noes 72, the motion was lost.

Babu AKHIL CHANDRA DATTA: I move that the demand of Rs. 64,000 for the pay of the Minister for Education be refused.

Mr. H. S. SUHRAWARDY : There is not enough time to meet the statements of Sir Abd-ur-Rahim which were so emphatically and bitterly personal, but we on this side of the House emphatically protest against the insult which he has hurled against the supporters of Mr. Ghuznavi in calling them hired voters. This is in consonance with the position he has taken up. As to his statements, we shall answer them at a suitable opportunity. I also object strongly to the methods of intimidation employed against members of this House, owing to which some members have not been able to attend, and others are unable to record their votes in the manner they desire.

1-30 P.M.

The motion of Babu Akhil Chandra Datta was then put and lost.

Mr. PRESIDENT : Order, Order. The time-limit prescribed for the discussion of this item has been reached. I have therefore to put the following demand:

"That a sum of Rs. 94,38,000, as amended by the Council, be granted for expenditure under the head '22.—General Administration'."

On the motion being put, a division was taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Maulvi Syed Nausher.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Choudhury, Maulvi Kharshed Alam.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hossain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jenkaway, Mr. J. H.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Labiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Mr. Khwaja.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Traver J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Natar.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. P. A.
Sadeque, Maulvi Mohamed.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Mr. Satish Chandra.
Shah, Mr. Ghelam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Solaiman, Maulvi Muhammad.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Ahamad, Maulvi Azimuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Prometha Nath.
Banerjea, Babu Jitendralal.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Babu Umes Chandra.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Raj Narendranath.

Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Himatsingka, Babu Prabhu Dayal.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Naskar, Babu Hem Chandra.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 88 and the Noes 36, the motion was carried.

The time-limit under the head "22.—General Administration" having been reached, the following motions were not put:—

Maulvi SYED NAUSHER ALI and Maulvi SHAMSUR RAHMAN: "That the demand of Rs. 64,000 for the pay of the Minister for Education be reduced by Re. 1 (page 67, Civil Estimate)."

Mr. S. C. BOSE, Babu AKHIL CHANDRA DATTA, Babu AMARENDRA NATH GHOSE, Maulvi TAMIZUDDIN KHAN, Maulvi SYED MAQBUL HUSAIN and Maulvi ABUL KASEM: "That the demand of Rs. 64,000 under the head '22E.—Ministers (Transferred)—Salary of the Minister for Local Self-Government' be refused (page 67, Civil Estimate)."

Maulvi SYED NAUSHER ALI and Maulvi SHAMSUR RAHMAN: "That the demand of Rs. 64,000 for the pay of the Minister for Local Self-Government be reduced by Re. 1 (page 67, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 300 under the head '22E.—Ministers—Hill allowances' be refused (page 67, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,46,000 under the head '22E. Ministers (Transferred)' be reduced by Rs. 73,000 (page 67, Civil Estimate)."

Khan Bahadur Maulvi EKRAMUL HUQ: "That the demand of Rs. 1,46,000 under the head '22E. Ministers' be reduced by Rs. 56,000 (page 67, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,46,000 under the head '22E.—General Administration—Ministers' be reduced by Rs. 10 (page 67, Civil Estimate)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 70,000 for 'Travelling Allowances' under the head '22F.—Legislative Council' be refused (page 68, Civil Estimate)."

Babu JITENDRALAL BANNERJEE and Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,600 under the head '22F.—Legislative Council—Hill Allowance' be refused (page 68, Civil Estimate)."

Khan Sahib Maulvi ABDUS SATTAR: "That the demand of Rs. 1,97,500 under the head '22F.—Legislative Department' be reduced by Rs. 18,000 (page 68, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 15,000 under the head '22.—General Administration—Elections for Indian Provincial Legislatures' be reduced by Re. 1 (page 62, Civil Estimate)."

Maulvi SYED NAUSHER ALI: "That the demand of Rs. 2,67,000 under the head '22G.—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Re. 1 (page 69, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: That the demand of Rs. 15,000 under the head '22G.—Civil Secretariat (Reserved)—Hill allowances' be refused (page 71, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 7,500 under the head '22G.—Civil Secretariat (Reserved)—Contingencies Hill journey charges' be refused (page 71, Civil Estimate)."

Babu AMARENDRA NATH GHOSE and Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 8,14,000 under the head '22G.—Civil Secretariat (Reserved)' be reduced by Rs. 100 (page 69, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 8,14,000 under the head '22G.—General Administration—Civil Secretariat (Reserved)' be reduced by Re. 1 (page 69, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 56,000 under the head '22G.—Civil Secretariat—Agriculture and Industries Department (Transferred)' be refused (page 74, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 4,200 under the head '22G.—Civil Secretariat (Transferred)—Hill allowances' be refused (page 75, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 2,500 under the head '22G.—Civil Secretariat (Transferred)—Contingencies—Hill journey charges' be refused (page 75, Civil Estimate)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 2,60,000 under the head '22G.—Civil Secretariat (Transferred)' be reduced by Rs. 100 (page 72, Civil Estimate)."

Maulvi SYED NAUSHER ALI: "That the demand of Rs. 85,000 under the head '22H.—Board of Revenue' be reduced by Re. 1 (page 76, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,000 under the head '22 J.—Commissioners—Purchase and keep of elephants' be refused (page 79, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 2,000 under the head '22J.—General Administration—Commissioners—Purchase and keep of elephants and other charges' be refused (page 79, Civil Estimate)."

Srijut BIJAY KUMAR CHATTERJEE, Babu BIJDY KRISHNA BOSE, Babu ROMES CHANDRA BACCHI, Maulvi SYED NAUSHER ALI, Dr. PRAMATHANATH BANERJEA and Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 2,86,000 under the head '22J.—Commissioners' be refused (page 79, Civil Estimate)."

Babu JITENDRANAL BANNERJEE: "That the demand of Rs. 2,86,000 under the head '22J.—Commissioners' be reduced by Rs. 1,600 (page 78, Civil Estimate)."

Babu AMARENDRA NATH GHOSE and Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 2,86,000 under the head '22J.—Commissioners' be reduced by Rs. 100 (page 78, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 29,50,000 under the head '22K to M.—District Administration—Pay of officers' be reduced by Rs. 1,50,000 (page 80, Civil Estimate)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 9,38,000 under the head '22K. to M.—District Administration—General Establishment—Allowances, Honoraria' be reduced by Rs. 1,75,000 (page 80, Civil Estimate)."

Maulvi SYED MAQBUL HUSAIN and Khan Bahadur Maulvi EKRAMUL HUQ: "That the demand of Rs. 61,30,000 under the head '22G.—General Administration—District Administration' be reduced by Re. 1 (page 80, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 50,000 under the head '22N.—Grant by Commissioners of Divisions' be refused (page 84, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 50,500 under the head '22N.—Grant by District Officers', be refused (page 84, Civil Estimate)."

Srijut JOGENDRA NATH MOITRA and Maulvi MOHAMED SADEQUE: "That the demand of Rs. 1,40,000 under the head '22N.—Discretionary grants for heads of provinces' be refused (page 84, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI and Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 1,40,000 under the head '22N.—Discretionary grants for heads of provinces, etc.', be reduced by Rs. 1,00,000 (page 84, Civil Estimate)."

Rai JADUNATH MAZUMDAR Bahadur and Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 94,38,000 under the head '22.—General Administration' be reduced by Re. 1 (page 62, Civil Estimate)."

Adjournment.

The Council was adjourned at 1-37 P.M. till 2-30 P.M., on Monday, the 14th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 14th March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 106 nominated and elected members.

Affirmation.

Babu SURENDRA NATH RAY made an affirmation of his allegiance to the Crown.

Motion for adjournment.

Maulvi ABUL KASEM : Sir, it is with a heavy heart that I rise to move for the adjournment of this House, permission for which was granted to me two days back. The discussion of this question was postponed to suit the convenience and, I might say, the interests of certain high personages.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhury, of Santosh): Mr. Kasem you are not right when you say that. I should be glad if you do not refer to what happened on Friday last and it would perhaps be convenient if you read out your motion.

Maulvi ABUL KASEM : Sir, the motion is that this House do adjourn to consider a definite question of urgent public importance, *viz.*, the shooting of an ignorant crowd in the village of Kulakati in the district of Barisal under the orders of the District Magistrate of Bakarganj.

While asking this House to consider this question I want to say at the very outset that the question of music before mosque does not at all come within the purview of my motion. I say that it has nothing to do with the wanton slaughter of my countrymen by the orders of a gentleman who has been entrusted with the care of the people of the district of Bakarganj—by one who was appointed by the State to protect the lives of the people of that district. Sir, the question of music

before mosque is a question which has agitated the public mind and caused many unfortunate incidents no doubt, but it is a question which does not concern the present motion. The apostle of the cult of music and high priests of greater power are now in a better position to enforce their will. We, the humble people, have very little to do with it, but before I come directly to this question I would appeal to my countrymen through their representatives in this House, Hindus and Muhammadans alike, to settle this trifling matter among themselves and not to allow any further excuse or opportunity for the shooting of people wantonly and deliberately. Sir, on this question of shooting at Ponabali an official *communique* has been issued and that *communique* states that some days back Mr. Blandy, the District Magistrate of Bakarganj, received information that there was trouble apprehended or anticipated, whatever you might like to call it, in that particular locality, because of the Shivaratri fair at Ponabali and of the objection of the Mussalmans to allow a procession with music to pass by the side of the mosque, and we are told that the District Magistrate visited the locality on the 17th of February. He came back to Barisal and returned to that place of occurrence in the early morning of the 2nd of March, the day on which the shooting took place, but during these 10 days, beyond the fact that he asked the Eastern Rifles to be present there with their guns and ammunition, besides the fact that he asked the Superintendent of Police and the Subdivisional Officer to be there, he took absolutely no steps to see that riots were averted or that there was no occasion for the slaughter of human beings. What I mean to say is this: during the 10 days after his return from Ponabali to Barisal Mr. Blandy had ample opportunities to consult the local leaders, Hindus and Muhammadans alike, of Barisal and I say in these instances he ought to have consulted the Muhammadan leaders of Barisal, because the Muhammadans were the people who were chiefly concerned in the matter. He might have appealed to Khan Bahadur Hemayetuddin Ahmed and his friends at Barisal to see that the Muhammadan crowd and the people of the mosque obeyed the orders that he had passed. Mr. Blandy might say that these people had no influence. To that I would say that Khan Bahadur Hemayetuddin Ahmed and Maulvi Shahabuddin and many other men have been of great help and of assistance to the authorities at Barisal for many years past. These men enjoyed the confidence of high officials like Mr. Beatson-Bell and others, but Mr. Blandy instead of asking for their help and co-operation kept the whole thing confidential and even prevented it from coming to the knowledge of these very men. This was done, I say and I submit, Sir, as circumstantial evidence shows, deliberately. Then, Sir, we are told that shooting was resorted to, because of the fact that the mob that collected there was furious, infuriated and would not hear orders,

and they were brandishing spears and *lathis*. I do not want to consider as to how many *lathis* and spears they had. That is not the question. The question is this; that while Mr. Blandy could with the assistance of his constables only get Maulvi Sahabuddin, the gentleman who was the Imam of the mosque, I believe, arrested from within the mosque itself and the men who went to arrest him were not even scratched or even hurt in spite of the threatening attitude of the mob, where was the occasion to shoot; I say that if the Maulvi could be arrested half a dozen more men could have been arrested as well. Then, Sir, the official *communique* goes on to say that orders were passed to fire 17 rounds, but on account of the noise and din of the Mussalman crowd that collected there the orders could not be properly understood. And what was the result? Instead of 17 rounds 37 rounds were fired. What does it matter if a few more lives are lost so long the lives killed are of black men. If a single European had been killed the whole empire would have risen in protest against it. But any number of death of black men does not appeal to the humanity of the people who rule over us. Sir, we are told that the official *communique* gives a full and detailed report. Some years back a gentleman speaking in the House of Commons remarked that untruths were of three grades and three classes—first lie pure and simple, the second, prevarication and the third the official reports. This official report, although it briefly states the main facts, leaves an impression on the public mind, at least on the mind of their leaders, which is absolutely incorrect. The public is asked to believe that in that small area the people who assembled were so furious and were taking an attitude so dangerous that in order to protect the lives and property of the people in the neighbourhood it was necessary to shoot them down. Sir, we are told that there is a road on the south and one on the west of this mosque; we are told that these roads are the district board roads of Bakarganj from Jhalakati to Nalchiti, but those who have visited the place will be able to tell you that these pathways which are dignified with the name of district board roads are merely narrow pathways, where it is widest it is only 5 feet 6 inches and where it is narrowest it is only 2 feet 4 inches. This is only a pathway on which two men can pass abreast with great difficulty and on both sides of these roads are the ditches and khals which are the natural drainage of Barisal in the district of Bakarganj. Then, Sir, what I say is this: that the shooting could be prevented and easily prevented without any danger, without any loss of life or property if only the District Magistrate had allowed the procession to pass with the police guards over this road. The District Magistrate or rather the Government benches will say that the people assembled in the mosque compound to attack them. If they had attacked or attempted to attack or even hurt any body then and

then only would shooting have been resorted to, otherwise not. I submit, Sir, that in this instance the shooting was done without justification, and without sufficient cause, and therefore no doubt, so far as the legal technicalities are concerned, I think he has complied with all. The District Magistrate read the Riot Act, and explained the provisions of the Act, but those who are not lawyers cannot appreciate that he has taken every possible step before firing on these people.

2-45 P.M.

After the incident happened we went to the place of occurrence. Of course there were different stories about the men being armed or unarmed but admitting that for argument's sake I believe there is a great deal of truth in the statement that many of the people were armed with *lathis* and spears of sorts. At the same time it has not even been alleged by the District Magistrate or his supporters that there was a single policeman even scratched by the rioters or the infuriated mob; not a single man was hurt. Therefore there was absolutely no justification for taking the lives of so many people and in such a wanton manner. Before I take my seat I would appeal to Government on behalf not of one community or the other but on behalf of the people of this province, to appoint a commission to hold a full enquiry into the affairs at Ponabalia. We want an enquiry where every man who presents himself for examination should be subjected to cross-examination and it has been suggested to me that this committee of enquiry should be one in which there should be a non-official majority. So far as I am concerned I think that any gentleman appointed to this committee will be fair and impartial and I hope that the Government will accede to my request. At the same time I should say that knowing the administrative machinery of this province as I do, I think it absolutely necessary that for an impartial enquiry the present District Magistrate of Bakarganj should not remain in charge of that district while the enquiry is going on; that officer who is responsible for the loss of so many lives, wanton slaughter of human lives, should not be allowed to remain in charge of the district. Our demand is very reasonable and very moderate. We are told and history tells us that the British Empire was built up by great statesmen, its foundation was laid on justice, fair play, impartiality and respect for truth and honesty. I believe that is the real truth because otherwise it would have been impossible for a handful of men to build up a mighty empire like this. I am afraid.....

(Here the member reached his time limit and resumed his seat.)

Mr. W. L. TRAVERS: I rise to speak upon the motion before the House to-day with some reluctance. The motion is one in which it is somewhat difficult for a Britisher to put his ideas before the Council

without giving offence to the members of other religions. I wish to declare in the clearest of terms that nothing is so far from my mind as that. First of all I wish it to be put on record perfectly clearly that my community is behind no other in its detestation of the firing and the suffering that ensued from that firing and shooting in the district of Barisal. It is most pitiable and deplorable that ignorant peasants should meet their death in this fashion although driven thereto by the exaltation that arose from the fear that their faith was in danger. We deplore these unhappy occurrences and I am certain that when I say that I speak for every Britisher here in this Council—whether official or non-official—more than that I am certain that I speak even more intensively for that British officer whom cruel and harsh fate compelled to give the order for firing. The heart of that officer is I am certain seared by sorrow and he will live in sorrow and in grief for the remainder of his days.

Mr. Blandy is known to a great many of us in this House; he is known as an officer not only of high attainments and of devotion to duty but also as one who has every sympathy for the poor and for the people. He is now, so to speak, placed on trial before this House. I ask this Council to consider the circumstances without heat and as dispassionately as possible. The questions of course which have to be decided by this Council are: First of all, was the firing inevitable? Secondly, did Mr. Blandy exceed his duty or not? I think it is obvious to every member of this Council that at any rate Mr. Blandy was not responsible for the circumstances that preceded that shooting and the unhappy occurrence at Ponabalia.

Dr. BIDHAN CHANDRA ROY: May I enquire from the hon'ble member who was responsible for the occurrence?

Mr. W. L. TRAVERS: The answer to that is—the unhappy and miserable communal tension that exists in this province. I say that Mr. Blandy, whether he is in the right or he is in the wrong, has been punished; he has received such punishment as a man of his position and attainments can, and I ask you again to consider his conduct dispassionately.

There were two alternatives: one was the alternative which Mr. Blandy took with results as I say, as horrible to him as they are to ourselves. There was of course another alternative, which was to retreat and retire. Leaving aside for a moment the question as to whether retreat was even possible, what we have to consider is what would have been the consequences of such a retreat. I think it is common knowledge proved by day-to-day reports in the newspapers what the position is in regard to communal hatred and communal feeling in the district of Barisal. Most of us also know, I think, of the pent up fury which

exists in the minds of people impassioned by religious fervour and communal riots. Mr. Blandy was faced by a large company of Muslims inflamed and maddened by passion of religious fervour. He had used persuasion, he had used argument, he had used warning but all without avail.

Maulvi MOHAMED SADEQUE: May I ask Mr. Travers what is the source of his information? Did Mr. Blandy consult him?

Mr. W. L. TRAVERS: My information is obtained from newspapers and I have nothing more than that. I am only saying what I have learnt from such reports.

The question now is this: If under the circumstances Mr. Blandy had retreated, would the mob have quietened down and dispersed? That seems to me to be the main question and I say in reply to that that the fateful happenings in the past in these cases have proved the contrary again and again. A mob of people as I say inflamed and impassioned by religious fervour, having achieved what they—ignorant people as apparently they were—would have considered it as a victory over the only authority that they know, namely, the Collector of the district. If Mr. Blandy had retreated, in my opinion, and I think in the opinion of every dispassionate observer, at any rate the greater probability is that the mob would have flooded the countryside and the dreadful orgy of communal fight would again have occurred. I wish it to be perfectly clearly understood that I am not in any way arguing against a proper enquiry into the circumstances. Human lives have been taken and human blood has been shed and it is perfectly just and right that there should be the fullest investigation into the circumstances that led to it. I do not wish to be misunderstood for a moment but my point is that it is very difficult for this Council at this time and at this distance to decide the question. An enquiry should be held by the controlling authorities concerned; the investigation should be as full as it possibly can be and judgment should be given by the proper authority. That is my point. I ask the Council moreover, in considering this matter, to remember not only the circumstances of this unhappy occurrence itself but also to think to some extent of the future. We are all of us aware of the intensity of the inter-communal feeling in this province at the present moment and especially in Eastern Bengal. As it happens in this occurrence the officer concerned is a Britisher. I think, therefore, that he may be taken as being unswayed in any way by any feeling of religion. His only thought, his only desire was to keep the order and safety of the district of which he was in charge. I do not object to condemnation if condemnation were deserved but as this officer was put in a position of most unparalleled difficulty he had to make his decision in a moment. If he is condemned improperly then I say this Council is endangering the safety of the whole of Eastern

Bengal. (A VOICE: Of the British Empire as well.) There is, in my opinion, one ideal which can prevent a recurrence of this unhappy firing and so on, which may be taken to preserve law and order, and that is the spread—I think we may term it in Bengal, a renewal—of the spirit of toleration. It seems to me that the chasm between the two great divisions of our fellow citizens in this province is widening and deepening from day to day and the question arises where and whither is the province going in regard to communal hatred. I say that these unhappy occurrences make it absolutely essential for everyone of us here, whatever be his race or religion, to do his utmost not only in his speech and in word but in every hour of the day to reduce that chasm between these two religions and establish safety and peace once more here in Bengal.

3 P.M.

In my opinion, Mr. President, what was responsible for this unhappy and miserable occurrence at Barisal was this hatred—this ill-feeling—between those two great communities, and not poor Mr. Blandy who did his duty as best as he could.

Sir ABD-UR-RAHIM: Sir, Mr. Abul Kasem in moving the adjournment of this House made it absolutely clear that he was not raising any question of a communal character. In fact, upon the motion itself no such question arises. I was, therefore, surprised that Mr. Travers, speaking on behalf of the European members of this House, thought fit to deliver a lecture on the unfortunate communal bitterness that has arisen in Bengal. Every one knows that public opinion in these matters is extremely sensitive, even lectures deprecating that sort of feeling, if they are too frequent and come from certain classes of people, are apt to intensify it. I, on my part, wish to assure every Hindu member of this House that we have not the least intention of having a pronouncement on the question of music before mosques, about the rights or wrongs of which the present question before the House has no concern whatsoever. We wish to raise no communal question. The sole question is whether in the circumstances of the case the District Magistrate, Mr. Blandy, was justified in firing or ordering to fire, on the crowd with the result that 18 persons, according to my latest information, have already died, and, I understand, about 12 or 14 more are in a very bad way. These are the totals of the persons killed and wounded in the hospital, excluding those persons who had gone back to the villages after having received injuries. No body can deny that the firing has had the most deplorable consequences, resulting in the death of so many villagers, who, otherwise, would have lived useful lives in their villages. And, surely, this is not a case, as suggested by Mr. Travers, for a departmental enquiry. We know what a departmental enquiry is. (Hear, hear.) This is too big an affair to be dealt

with in the department, within closed doors. Surely, in the interests of the administration, in the interests of Mr. Blandy himself, if the charge against him is unfounded, there should be an open public enquiry. Speaking for myself, Sir, I do not care whether the majority are officials or non-officials. Let there be a public enquiry, let the facts be placed before the public, let the men who have played a part in this occurrence be cross-examined as to the circumstances that led to it, and I am perfectly sure that there would be only one verdict. Let Mr. Travers, let Mr. Moberly, or let anybody else, sit on that committee. But I do appeal to this House that there is an ample case, more than an ample case, for a full-fledged public enquiry, where every matter can be dealt with in the light of public criticism. The question —the momentous question—before the public of Bengal and before this House at the present moment is under what circumstances is a District Magistrate, who is charged with the maintenance of the peace of a district, entitled to order firing on a crowd. If in this case the firing could be justified upon the facts that are in public possession, then I say that there is a most dangerous state of things which public opinion should not tolerate for one moment. Mr. Blandy had information that the villagers—I do not know exactly how many, say, a hundred, two hundred, or five hundred had objected to music being played before the mosque. Those who have seen the mosque know what a small structure it is. If there were two to five hundred people gathered there and in its grounds they must have been packed like herrings. It is just a space by the side of what they call a road—a compound of about 40 square feet, and there is a ditch running alongside the road. The firing took place from, say, a distance of 2 to 3 or 5 yards at the most. The firing was at the upper parts of the bodies of the people, and I saw that even trees had been penetrated right through from one end to the other, even bamboos had been penetrated right through, and that bullets had hit people sitting in the yards of their own *baris* beyond. Now, Mr. Blandy had known that these ignorant villagers, misguided or ignorant of whatever you may like to call them, objected rightly or wrongly to music being played before their mosque. Mr. Blandy was perfectly familiar with the provisions of the law of criminal procedure which he must have administered for a very long time. He had at his command measures by which he could have prevented any untoward happenings. It is stated in the *communiqué* that Mr. Biswas, the Subdivisional Officer, had satisfied himself that the practice of stopping music before mosques was not established, but we are not told yet—and so far as my information goes it is not a fact—that there was a written order passed, or at any rate proclaimed in the village. The provisions of section 144 of the Criminal Procedure Code were not utilised. If they were utilised, the Magistrate could have prohibited the gathering of any people either in the mosque or in its vicinity, or

along the roadside. No such step was taken. He could have utilised the provisions of section 107, if he had information that some of the villagers wanted to take the law in their own hands and break the peace; he could have bound them down as it is done every day a number of times in Bengal. He took no such steps. I appeal to my European friends on the other side to consider whether he should not have posted at least some constables in that village near that mosque—surely he could have spared 10 or 20 constables to be put on guard there to prevent any villagers taking steps to create any disturbance on the 2nd of March. No: although he visited that place, although he knew of these things, yet he took no steps of that sort. What preventive steps he actually took we do not know. He did not consult any influential people of the Muhammadan community of Barisal. It has been alleged that none of these gentlemen have any influence. Now, is that true? I say, it is not. The Hon'ble Mr. Moberly, who is in charge of the Police, knows that whenever Government took into confidence the leaders of the people, for instance during the last Durga Puja celebration, they did so with the happiest of results. During those times when riots were imminent, the leaders whom he took into confidence were able, with the help of the authorities, to persuade the parties concerned to obey the law, although none of the parties accepted the existing rules as the proper law. Surely, it does not lie in the mouth of the Government to say that it would have been useless to consult the leaders of the people. I ask, is it reasonable to put forward such an excuse? Now, take the day of the occurrence, what happened? Mr. Blandy does not take any civil, ordinary, constabulary force there at all. He takes only 20 to 30 men of the Gurkha Rifles. Supposing, he had taken 50 constables with him and drawn them up along the road, I am sure that there would have been no apprehension of a breach of the peace. He might have taken his rifle also in order to help the police if the police were attacked. He did no such thing. He takes only the rifles there—guns and ammunitions—to shoot. This is one of the most wonderful proceedings of which I do not think any precedent will be found. Then what does he do? Knowing that he might have to shoot people—he went there prepared to shoot, if necessary—he does not take any medical help with him—no stretchers, no sort of surgical appliances—when he knew that men would be shot down, and, mind you, no medical man was near about. He knew that you have to go at least several miles in order to reach Barisal. Some of the wounded men did not reach Barisal for more than 24 hours. Then, it is said that the crowd was threatening. Ignorant men in crowds when they gather to protest against certain orders of the Magistrate do—at any rate some of them do—arm themselves with *lathies* and take up a threatening attitude: they shout, and if they have any weapons with them they brandish them. But, was Mr. Blandy really afraid of his own life or of the lives of the Gurkhas or of others present

there? Surely, he cannot say this, since he successfully arrested the Maulvi who is alleged to have been inciting the mob. Why could he not have arrested some more of the men—he could have done so with impunity—and surely then the whole thing would have collapsed. I ask this House in all solemnity whether Mr. Blandy's proceeding was such as could be justified. Mr. Travers has said that Mr. Blandy has suffered enough. I have no doubt that he must have felt after the occurrence that he was entirely in the wrong. But we are not concerned with the prick to his conscience. We have got to see that the law is properly administered, and, I think, this House should lay down some rule to be observed by Magistrates and other officers who have either in the villages or in the towns to keep the peace. Then Mr. Blandy is an Englishman who is supposed to have better nerves than the poor Indians. He should have known that only a few days back in Barisal itself an Indian Magistrate controlled a mob of five thousand people without having had to fire a single shot: they were dispersed without firing. I say that in this case Mr. Blandy could have easily dispersed the mob, and he could have done this without any firing at all. I say, a proceeding like his is unparalleled in the recent history of India. I say that if the Government had announced that they were prepared to hold a public enquiry, I should have been the last person to discuss this question in this House. But as matters stand, we have to ask this House to come to a decision whether the conduct of Mr. Blandy was not such as to call for a public enquiry—an enquiry in which all the matters would be sifted—and if Mr. Blandy is found to have been at fault he would be properly punished. We are not trying to throw the blame on the Hindu community or any other community. We want to see it laid down that Magistrates whenever they have to act under such circumstances do act under proper restraint, that other Magistrates, in the circumstances in which Mr. Blandy was placed, do not recklessly order firing on an ignorant crowd.

3-15 P.M.

Sir PROVASH CHUNDER MITTER: Sir, I can assure my Muslim friends that I and other members of my community are as much grieved as any one amongst them over the unfortunate affair at Ponabalia. Human life, Sir, is a sacred thing and the death of a number of our fellow countrymen at a time of peace must fill the heart of all sections with intense grief and I am sure, Sir, in this grief, Treasury benches, the Swarajist benches and non-official Europeans will join with us.

I am glad in a sense that our Muslim friends have moved for an adjournment of the House, for the death of so many men insistently demands the attention not only of Government members but that of all sections of this House. It is imperatively necessary to examine not only the immediate causes of this unfortunate incident but it is far

more necessary that we should examine the root causes that are responsible not only for this regrettable incident but of other similar incidents which have caused the death of a number of Hindus and Muslims in various parts of the province including the Metropolis of the Presidency, and apart from death just realise what untold suffering these incidents have caused to so many of both the communities. These regrettable incidents during the last 12 months or so have cast a slur on the fair name of Bengal. It is necessary, therefore, that the representatives of the people assembled on the floor of this House should examine the situation calmly and dispassionately and put forword their suggestions not only to remove the root causes of the incident but to ensure that in future innocent lives are not lost and that officials whose unfortunate and difficult duty it might be to deal with situations like these should have the guidance, advice and support where necessary of the representatives of the people. Sir, human life is sacred. (A VOICE: Not Indian lives.) No, Sir, every life is sacred whether it is an Indian life, an African life or a Hottentot life or a European life, and the possibility of the spread of communal virus is fraught with such danger to both the communities that I trust that no responsible member of this House will descend to utilise this unfortunate incident for party purposes or personal jealousies. Even if any one does I hope the better sense of the majority of the House will prevail and make any such regrettable attempt unsuccessful.

Sir, I desire to deal with 3 points:

(1) What are the root causes of unfortunate incidents like these and how to remove them?

(2) How should the officers in future conduct themselves on occasions like these? and

(3) How did the responsible officers conduct themselves on the present occasion?

Maulvi KADER BAKSH: Sir, the root cause of the trouble is not the question before the House. Is he entitled to deal with it?

Mr. PRESIDENT: Sir Provash, you had better not refer to the root cause of the question. But, you are certainly entitled to lay down as to what should be the conduct of officials under such circumstances.

Sir PROVASH CHUNDER MITTER: I bow to your ruling Sir. But may I point out for your further consideration this point: We are no doubt discussing this particular question but if the root cause of these riots is intimately connected with the question of this incident, may I not refer to it as a relevant matter?

Mr. PRESIDENT: My ruling is this. You can narrate the incidents connected with the affair of that particular date. Of course you can suggest how officers should conduct themselves on occasions like these. Beyond that you cannot go.

Sir PROVASH CHUNDER MITTER: I claim, Sir, that I have stated these points in their order of importance. Sir, is it not a matter which at once arrests our attention that before the early part of 1926 there were practically no communal riots in our province. We had not before 1926 breaking of heads for communal reasons at any rate on the scale that we have been witnessing recently.

The second point that I have mentioned, namely, how should the officers in future conduct themselves on occasions like these is one of the utmost importance—far more important than that of examining the conduct of the officers who had to act in a certain manner on the present occasion. In this connection we must remember that advance of nationalism can only be possible if there be security and ordered progress in our social lives. Without peace and protection whether by an organisation of citizens and so long such an organisation is not possible by the organisation which has been set up for us by our present day rulers ordered progress, whether social or national, will become impossible. In the very interest of the cause which all of us have in heart we must admit that peace has got to be maintained. Nor can we afford to ignore the actualities of the present political situation. Here we find that Swarajists are quarrelling with Swarajists, Liberals are quarrelling with Liberals, Muhammadans are quarrelling with Muhammadans and the Hindus and the Muhammadans are quarrelling amongst themselves. It is no doubt due to our own fault that we are quarrelling amongst ourselves. It is no doubt due to our own fault that we are placing personalities above parties and party above country but so long as this spirit lasts the inevitable must happen. The third party must have to devise some means for our protection. So long this state of things lasts it is certainly necessary to lay down lines of conduct on the part of public officers to meet situations like these. The time at my disposal is short and I therefore refrain from putting forward my definite suggestions. I suggest that it is necessary to frame a set of rules to deal with situations like these and in framing those rules the representatives of the people should be consulted, but it must be understood that a good deal of personal discretion must be left to these officers and so long as these officers act *bona fide* in order to avoid an imminent riot, I hope the representatives of the people in this House would agree to support their action.

Now, Sir, coming to the third point, I feel that the question is *sub-judice* and furthermore I am told that an enquiry is being held by the Divisional Commissioner and that Government is awaiting the result

of this enquiry. Therefore, in my judgment, it will not be right to appoint any committee at this stage before fuller facts are placed before us. When such facts are placed before us I am as keen as anybody else that an enquiry should be set up but I want that the committee of enquiry should be an impartial one. No one should have any seat on that committee who have expressed their opinion on this particular incident. In the interest of Mr. Blandy himself, in the interest of other district officers and police officers who have to handle difficult situations like these, I welcome a committee of enquiry, at a proper time, but, Sir, I cannot refrain from leaving this subject without appealing for a suitable atmosphere for the discussion of this question. It is all very well for us sitting comfortably in our respective chairs on the floor of this House to criticise a gentleman who had to deal with a very difficult situation. Assuming for the moment that Mr. Blandy acted as he should not have acted one must not forget that it is alleged on the one hand there was an infuriated mob, a section of which was armed with deadly weapons and others with formidable *lathis* on the other hand there were hundreds of men, women and children whose lives were as precious as the lives of those unfortunate men now no more. Do not judge a man too hastily or too harshly under these circumstances. If you do so you will demoralise the only men who are available at the present moment to maintain peace and order in our society. And why are these the only men to-day who are available to maintain peace and order in our society and if these are the only men to-day so available, how is it that they are not under the orders of responsible ministers but under the orders of officers responsible to an authority 6,000 miles away, at Whitehall? Is it not because the Hindus and the Muslims, the different groups of Hindus and different groups of Muslims are quarrelling amongst themselves? Is it not because true to the instinct of slave mentality—an expression which my friends on the Swarajist benches are so fond of using—we are placing personalities and political causes above those of the needs of the country and the nation. Is it not because that we delight grovelling about petty personalities and petty communal question? I resume my seat, Sir, by an appeal to all within this House and those beyond, to remove the root causes and the sooner you do that the sooner you will put an end to all incidents like these.

Maulvi ABUL KASEM: Sir, what is the relevancy of mentioning petty jealousies when we are only discussing the Ponabalia incident?

Mr. PRESIDENT: Order, order!

Sir PROVASH CHUNDER MITTER: Sir, before I resume my seat I would make an earnest appeal to all sections in this House and to all my friends, Hindus and Muhammadans, not to misunderstand one another any more. I beg my Muhammadan friends to believe me that my feelings are as keen as theirs are over this question. But because

I feel for their community as I feel for my own that I am making this appeal to them not to add to the difficulties of the situation by creating further bitterness.

3-30 P.M.

Maulvi ABDUL LATIF BISWAS: Sir, the subject before the House strongly demands serious consideration. The brutal massacre and inhuman murder of innocent people at Ponabalia is the shocking theme before us to-day.

In the compound of the mosque the people—boys, young men and old men—mustered, some came to see *tamasha* and some to offer peaceful resistance to the passing of the procession with music before the mosque.

Sir, we are not here to-day to discuss the right of the Hindus to pass before the mosque with music. We are not here to-day to claim for the Muhammadans the right of stopping music before the mosque. We are here to-day to discuss the heart-rending brutality and massacre of the 2nd March at Ponabalia.

Sir, on the 2nd March the people of the locality of Ponabalia collected in the yard of the mosque of Kulkathi when they heard that the Hindus would pass with music before the mosque.

Sir, these people were standing unarmed in the mosque compound. Some were standing to see *tamasha* and some to offer peaceful resistance to the passing of the music before the mosque as they said that the music never passed before that mosque since its erection about 20 years ago save and except one solitary instance in Kartic last.

Sir, I have already said that we are not concerned to-day to deal with music before mosque. We are concerned to-day with the doings of the District Magistrate of Barisal at Ponabalia on the 2nd March.

Sir, when some of the people unarmed offered peaceful resistance to the passing of music before the mosque without showing even the least tendency towards violence, order from the District Magistrate intoxicated with power came to the Gurkha soldiers to fire.

Sir, the Gurkhas began to fire upon the unarmed Muslim mass—boys, young men and old men. With what result? The result is, Sir, that 13 were killed at the place of occurrence and a large number were wounded.

Sir, upon the report of the inquiry made by Maulvis Mafzuddin Ahmed, Mafuzzal Hoque and Kabiruddin light is thrown that of those 13 killed, 11 were killed in the yard of the mosque and 2 in the house of Afzulla Molla whose house is adjacent to the mosque.

Sir, this is not all. One was shot inside the mosque and this ur fortunate victim to the Magisterial power came out in extreme agon and died.

Sir, from the Government *communiqué* we learn that the crow became excited and the District Magistrate was compelled to orde firing. Can the Government show one instance in which the crow exhibited excitement? No doubt the Associated Press and Free Pres published that the crowd approached brandishing their *lathis* and on man attacked the Superintendent of Police with the spear.

Sir, is there any truth in it? If it be true why the Governmen *communiqué* is silent on this point.

The only reasonable conclusion one can draw from the omission o this point in the Government *communiqué* is that the crowd neve attacked the Superintendent of Police nor did they approach brandish ing their *lathis*.

The action of the District Magistrate at Ponabalia is a sampl of the barbarity of the highest order.

Sir, the playing of ducks and drakes with the lives of innocent an simple villagers at Ponabalia by the District Magistrate, who is en trusted with the welfare, protection and good of the Barisal people clearly indicates that he was waiting for an opportunity to creat impression. The action of the District Magistrate proves and prove unmistakably that the lives of the Bengalis have no value in th estimation of a people who claim the possession of the highest civili sation at present.

I appeal to the Hon'ble Home Member and other European member of the Treasury bench and I appeal to European members of thi House to ponder over the matter.

I appeal to the Government to retrieve the fair name tarnished by the unjustifiable and unreasonable cruelty of the District Magistrate, by vindicating justice.

I appeal to the Government bench and the European block to pause and think that if the life of a Britisher be lost in this way at the hand of an Indian the deafening hue and cry to be raised in England and here would have puzzled the Government until the offender was brought to justice.

Sir, whatever the Britishers may think, their souls and the souls of the Indians are made of the same ingredients and the repetition of this is sure to sap the strong foundation of the British Empire.

Sir, if Mr. Blandy be the sample of the efficient heaven-born service, we pray to God with all sincerity to save us from the hands of this efficiency.

Mr. W. L. TRAVERS : Sir, I rise on a point of personal explanation. I should like to make it perfectly clear that it makes no difference to me whether the shooting is of an Indian or of a Britisher, because I consider one is just as horrible and detestable as the other.

Maulvi KADER BAKSH : Sir, I shall be very brief. The question before the House is whether Mr. Blandy was justified in his action or not. That is the question that I should like to deal with first. But before doing so, I must heartily thank Sir Provash Chunder Mitter for the advice he has given to the House to wait and wait till we have got the report of the Divisional Commissioner on the enquiry into this matter. He says that we, the representatives of the people, should support the Government in bringing out the truth. I must say that Sir Provash Chunder Mitter—I see he is not here and I wish he had been here—with the mentality he has got might well himself have held an investigation into the matter and not left the enquiry to the Commissioner. Why is it that he is not going out himself to the place of occurrence to get at the truth? If he desired he might have gone to the place of occurrence and investigated into the matter. Mr. Blandy was certainly aware of sections 299 to 304 of the Indian Penal Code dealing with offences against human life as laid down in that Code. Now, Sir, there are certain sections under which a man cannot take the life of another and if he does that, he commits an offence under these sections and becomes guilty of murder. Now, Sir, the question is whether Mr. Blandy was fully aware of these sections and took all the care that as an official he should have taken under the circumstances, and also whether he had no other means at his disposal before he resorted to these barbarous acts and brutal murders. As Sir Abd-ur-Rahim has said, if section 107 and section 144 of the Code of Criminal Procedure were not operative, then and then only it could be said that he was not justified in resorting to shooting before applying these means at his disposal. If anybody disputes this, then I must say that he is ignorant of the Criminal Procedure Code and the Indian Penal Code which contain these preventive means. Then, the question is whether the murder was deliberate or under section 304—unintentional. I must say that if he knew fully well, as a Magistrate should know, of the existence of the provisions of law, then there are other sections to prevent these men from becoming desperate, and if he did not use those means, certainly it must be said that he is guilty under section 302, i.e., murder—deliberate murder—knowing fully well the consequences. I am dealing with the question not from the communal point of view, not as a Muslim representative in this House, but as a representative of the national interests. There are several détenus, very few of whom are Muhammadans, but we, Muhammadans in this House have joined with our Hindu friends in doing all that is possible for us to get them released and also in doing away with those oppressive

sections. Sir, this is a political question and not a communal one, nor a religious one. The question is whether certain Indians, Bengalees, have lost their lives under circumstances which cannot be justified. Now, whether these men were in the wrong, they did not commit any violence which justified Mr. Blandy to give the order to fire. We have also seen in the newspapers to-day that these people were not provided with deadly weapons. If that be so, then why should they be fired at? Therefore I submit to the House that Mr. Blandy committed an offence the consequences of which were well known to him. If the members of the House demand a committee of enquiry, I do not think that it is too much. We should not depend upon the report of the Commissioner, but we should say that strong committee consisting of Hindus and Muhammadans, be appointed to investigate into the matter.

Maulvi MOHAMED SADEQUE: Sir, Sir Provash Chander Mitter's speech opened the eye of many of us rather late, but never too late. Some had been incessantly pressing for the adjournment of the House for to-day, the reason was obvious and we have found out the cause. But though the end has been achieved, I can tell him that everything is not over. Mr. Travers has enlightened the House on one point and that is very clearly that Mr. Blandy is regretting the incident and will repent for the remainder of his life. He is perfectly right; Mr. Blandy must be repenting throughout the remainder of his life for the incident for the deliberate step he took in taking the lives of so many black Indians. You may conceal matter from the public, you may deceive the Government but you cannot deceive your mind, so Mr. Blandy must be repenting for repentance is the best punishment of crime. The most queer thing is that Mr. Travers has said that the District Magistrate could take one alternative, either to withdraw from the place of occurrence which would have a demoralising effect on the whole country or to act as he did. In this connection I beg to point out that nobody has suggested that the District Magistrate should have withdrawn and not taken the step—some step to check violence. The question is not that whether he should have retired from the place of occurrence but whether any other means could be effectively substituted in place of the cruelmost act of his.

3-45 P.M.

And was there not other means which could be substituted to prevent the occurrence of this cruel and most dastardly act? Now another point is whether he exceeded the bounds, whether he had any other means at hand by which he could have checked this inhuman excesses. As a human being, not of course like that of Mr. Blandy—I cannot but support the motion for the adjournment of the House for the most

inhuman, most barbarous act. Henceforward the whole Muslim world will call Mr. Blandy the blood-thirsty for what else except the lust for shedding innocent blood could induce a man and not a beast to pounce upon the most innocent crowd assembled to protect a religious right.

Mr. PRESIDENT: I think Maulvi Saheb you should restrain yourself, "beast" is an unparliamentary expression.

Maulvi MOHAMED SADEQUE: No, Sir, I did not call him a beast. The District Magistrates or the officials have got powers to prevent disorder and to preserve peace and order. If a censure motion is not passed the result is that the District Magistrates will think and they do think that they are guarded with immunity and can do anything and can kill as many lives as they please: there is no law to check them. I do not object to your firing when necessary, but you must give reasons by which you can justify your taking such an extreme step; secondly, you are to show that without recourse to the step you took no other effective step could be substituted; thirdly, you must show that the steps taken did not exceed the limit. Until and unless you can show all these you cannot shake off the responsibility. Because you have been provided with deadly weapons and have got the law to protect you, you can in the name of peace and order kill men like cats and dogs. We want an impartial enquiry—an enquiry in which we can have confidence.

From the newspaper reports and the reports of those who saw the places of occurrence, it is transparent that Mr. Blandy unprovokingly ordered firing without issuing any order under section 107 or 144 previously or declaring the assembly unlawful. The only reason put forth is that the mob threatened the Superintendent of Police and others with spears and *lathies*, but is it consistent with the fact that when the alleged ringleader of the mob was arrested without any hitch—can it be said that the people were incited to kill the police and for that reason such an extreme step was necessary. Sir, we heard when the Khargpur incident was discussed that buckshots were fired and under the knees: but here all fire was done hitting at the breasts and even killed men sitting at a distance in their own homesteads smoking *hookah* or doing some other household work. Now, Sir, we have been hearing that the District Magistrate should be given discretion and we have heard from Sir Provash Chunder Mitter this morning that the District Magistrate being a European had no bias towards any community and so he should be supported for any act he does for preserving law and order. The official can kill as many men as he likes in the fair name of law and order for the preservation of the so-called prestige of District Magistrate to keep his *zid* he summoned Gurkhas, but could not issue injunction on the crowd to stop all these things.

Sir ABD-UR-RAHIM: On a point of order, Sir. Does not the Government want to make a statement? It is usual in a matter of this kind for Government to make a statement at as early a stage as possible so that the House may be placed in the possession of facts.

The Hon'ble Mr. A. N. MOBERLY: I rose to speak at the very moment as Sir Abd-ur-Rahim rose.

Mr. PRESIDENT: I have already called upon Mr. H. S. Suhrawardy to speak.

Mr. H. S. SUHRAWARDY: Sir, although you have done me the honour of calling upon me to speak I would much rather that the point of order raised by Sir Abd-ur-Rahim had been decided in his favour and I had been allowed to speak after I had known what the case of the Government was in the matter. I am indeed glad that the attempt to draw a red herring across the trial has been frustrated. This is a matter which affects all people whether they are Hindus or Muhammadans. To-day the firing has been on the Muhammadans, to-morrow under similar circumstances it may be on the Hindus and we shall be mourning in the same manner in which we are mourning over the death of the Mussalmans this afternoon. As I similar to many other members of the Legislative Council have had the privilege of seeing the place of occurrence, I may be permitted to place before you without diplomatic perversion the facts as I have ascertained them. Picture to yourself a road not more than 6 feet broad with ditches on both sides 4 feet wide. On one side is a mosque with a courtyard and behind the mosque and the courtyard is a dense ring of *supari* trees and behind the *supari* trees are a few huts. Trouble was brewing and the feeling between the two communities were strained owing to the Patuakhali, Perojepore and Barisal affairs. Mr. Blandy had come to the place of occurrence 5 or 6 days before and had reconnoitred the place and had probably made his arrangements. The leaders of the Hindus had also come to the place and had also made preparations. We have ascertained that no procession of the magnitude which was proposed on this occasion had ever passed. The Shivbari is more than one and half mile away from the mosque and people in small groups of 7, 8 or 10 mostly women accompanied by 2 or 3 males go there on the Shivaratri festival, but on this occasion it was proposed to bring out a procession in which three villages had joined with music and bamboos—an obviously provocative demonstration. I do not propose to discuss here whether the Hindus had any right to take a procession over the road or not and I only place before you what the facts are. The Muhammadans of the locality felt aggrieved: the Subdivisional Officer came and made an enquiry and it is reported that evidence was overwhelming that no procession had ever passed by the mosque: nevertheless the instructions were that this procession should be allowed to pass by the mosque. Report was accordingly made

and Mr. Blandy passed the order that the procession should go playing music by the mosque. The feeling as I have said was strained between the two communities and no Muhammadan leader was taken into confidence by Mr. Blandy; it is said that the Muhammadans did not rise in the past to the occasion, but I think it was the duty of Mr. Blandy not to leave any stone unturned before he took the measure that he proposed to take. I am also informed that no armed police were available, because they were sent to other places. Nevertheless, I think, that although no armed police were available the Frontier Rifles might have been supplied with guns that fired buckshot rather than rifles to which they are, I am told, accustomed. If they are soldiers worth the name they can let off buckshots as well as rifle bullets. The Muhammadan crowd was very likely in an excited mood, but I do not credit the statement in the *communiqué* or any statement made by any Government officer that they were armed with spears and deadly weapons and they were brandishing them for the purpose of making an attack, and I say so for this reason that after all the attempts that had been made to capture as many weapons as possible not more than 4 spears have been taken into custody. As to where those came from there are various reports and some say they came from various houses, but I am prepared to believe that some of them were armed with spears. But there was no attempt on the part of the Muhammadans to make an assault on the police. The point however is this: was the police justified in opening fire upon the mob? They could have only done so as a last resort if Mr. Blandy was justified in thinking that the mob was out to attack the police. It is no use saying now that if they had allowed the procession to pass the mob would have attacked them. We do not know what the mob would have done. We know that an excited mob always say that they are prepared to lay down their lives but that does not mean anything. I think, the right attitude for Mr. Blandy would have been to post Gurkhas on both sides of the road and to allow the procession to pass through it and if the Muhammadans then attacked the Hindus and then only he could have taken suitable measures he liked.

4 P.M.

I think it is puerile if nothing else to put forward the plea that although the order was passed that only one round should be fired it was said in such a weak voice that nobody heard it except those who were standing near. I think there is no justification at all for the loss of lives that resulted. On this ground if on no other I think Government ought to accept the committee of enquiry. I must here pay a tribute to Mr. Taylor, the Superintendent of Police, who I am told, when firing was going on and men were fleeing rushed right up to the riflemen and stopped further firing at the risk of his own life. The firing thereafter was stopped. What happened to the wounded? They were dragged through the undergrowth of bushes by Gurkhas and their relatives were

not allowed to come near them. They were taken to Jhalakati where first aid was given; they were attended to in a most perfunctory manner. They were carried from there to Barisal by boat and I am told that they arrived at Barisal the next day at noon. Just imagine the suffering they had to go through! The Magistrate reported that only one boat was available and I am told that the rest had been used for going to a place called Cossipur in order to suppress another apprehended rising there. I think the lives of these men justified immediate medical treatment. It takes only half an hour to go from Jhalakati to Barisal, but they arrived there at noon the next day! Then I am told that they were not admitted to the jail hospital because no arrangements were made for their warrant. I am also told that two of the wounded were found outside the jail gates and were admitted into the hospital at 4-30 P.M. after having to wait for 4 or 5 hours outside, because no arrangements had been made for their warrant without which they could not be admitted into the jail hospital. I think for this reason, if for no other, an enquiry should be made into this occurrence which cost the lives of so many people. Now, Sir, you will realise that the feeling between the two communities is very strained and incidents like this might occur again; we hope that incidents like this will not recur but if the present feeling continues, if the insistence continues on both sides, then such incidents might occur again, and I think it is necessary, if only for the guidance of the District Magistrates who are placed in such difficult positions on account of our internecine quarrel, that a committee of enquiry should be appointed so that they may know how to behave in future. How such incidents brutalise individuals will appear from the conduct of the crowd towards the dead and dying lying in front of the mosque. I am told that Mr. Blandy insisted that the Hindu procession should pass the mosque with music playing. I am told that some of the Hindu processionists who saw the dead and the dying did not want to play music and the instruments were falling from their paralysed hands but still the District Magistrate insisted that music should be played! I am also told that some of the Hindus who were passing by the mosque jeered at the dead and dying and there were others who said that the wounded Muhammadans had probably eaten *shirni* and were sleeping. Can we allow this brutalising process to continue and also that the people should lose their moral fineness to the extent.....

Dr. J. M. DAS GUPTA: May I know if Mr. Suhrawardy is within his rights to sow seeds of communal trouble even in this Council chamber?

Mr. PRESIDENT: To what statement of Mr. Suhrawardy are you taking exception?

Dr. J. M. DAS GUPTA: It is simple. He says that he has been told but he has not verified it himself in any way, that the Hindus were

jeering at the dead and dying at Ponabalia. We have also information but we have not heard anything like this. The defender of Mina Peshwari ought not to have brought this insinuation against the Hindus on the floor or this House.

Mr. PRESIDENT: Order, order! That is a different matter altogether. You may continue, Mr. Suhrawardy.

Mr. H. S. SUHRAWARDY: Dr. Das Gupta will be perfectly justified in contradicting me if he has contrary information, but I am placing before the House the information that I have. I ask Government to consider whether in these circumstances—I throw out this suggestion—a committee of enquiry, a committee of reconciliation composed of Hindus and Muhammadans should not be formed to enquire into communal troubles. Starting from Calcutta they should tour round the whole province from district to district and settle the difference. We do not want these occurrences to take place again. The sooner this committee of reconciliation is formed the better and—I throw out this suggestion to Government—I hope that Government will accept it. I feel perfectly certain that none of the Hindu or Muhammadan members here will raise any objection whatever if this is done.

Babu SURENDRA NATH BISWAS: I regret to say that I cannot support nor can I oppose the obvious object of this motion to-day. My reasons are two-fold, firstly, because the fact before me are not quite sufficient to form my opinion thereon. I must know further facts before I condemn the action of the persons who were responsible for the shooting affair. The Government *communiqué* has not disclosed all the facts. I shall therefore abstain from giving my opinion until further enquiry is made.

Let me not be understood to support the Magistrate concerned or the police who acted under his orders. But what I mean to say is that before I am satisfied that they could avoid doing what they did under the circumstances of the case, I cannot, as an impartial judge, condemn their action offhand. I must therefore know beforehand whether the Muhammadans who assembled at the place of occurrence with *lazas* and *katras* did so for the mere fun of the thing or for falling upon the Hindu pilgrims at the time of their passing before the mosque. I must know also whether there was every likelihood of the armed hooligans of assaulting the innocent pilgrims amongst whom there were hundreds of women and children, had not the Magistrate or the police taken the precautionary measures that they did. I cannot conceive of a more abominable crime than to assault a pilgrim for the mere passing over a public road to worship his God. I must therefore be satisfied first if the victims of Ponabalia were members of a party who

were bent upon committing such crime before I pass my opinion. If I be so satisfied and if it is also found that in the course of protecting the unarmed, innocent pilgrims from the violence of an armed mob the police themselves were attacked by those rowdies, I think I shall be wrong to condemn the shooting in question. It is not a question: who were killed—whether Muhammadans or Hindus. It is not a question whether the Indians were shot down by the Europeans. It is a question whether the action of the Magistrate and the police were *bona fide* and what they did was necessary in the exigency of the case. I should ask the members of this House to remember that they are sitting here to protect everybody who deserves their protection. We must no doubt protect the interests of the people, but at the same time we must not forget that the officials too have a right to our protection if they deserve the same. It is for such even-handed dispensation of justice that I have decided to wait a little longer to know the fuller facts and then pronounce my judgment. This, my view, has been strengthened by the fact that the report published by some Muhammadan gentlemen of Barisal is both meagre and an absolute contradiction of the Government *communiqué*. With two such contradictory versions of the incident before me and from the reports that I have heard myself from others, I feel I cannot conscientiously support the motion to-day.

I have got my second reason also. I think the mere carrying of this motion will be shelving the real issue involved in this case. Condemnation of the action of the Government or their servants has not benefited the people in the past nor is it likely to benefit them to-day. We have much condemned the bureaucracy for a thousand times more atrocious acts of violence but they are sitting tight in their adamantine seats ignoring our outbursts. We condemned them for the atrocities of Jallianwalabagh, we condemned them for the Mopla tragedy—not only we—the whole world condemned those barbarous acts of theirs, but alas! they did not care a straw for that. We are condemning them every moment for snatching away many noble sons of this province and slowly poisoning them in the dark cells or caves of the hellish jail. But they are sitting there unnerved and unmoved. So I say, mere condemnation will have not effect nor will cure the evil we are talking of. To-day we shall condemn them for shooting the Muhammadans, to-morrow we shall have to condemn them for shooting the Hindus and such condemnation shall go on for ever, until the real issue is faced. I should therefore urge the Hindu and Muhammadan members of this House to find out the root cause of the evil and shoulder the responsibility of removing it. It will not do to shift the responsibility on the shoulders of our political enemies and exhaust our venom on them in this Council chamber. It will not do for the leaders to hide themselves in the Ministerial chairs or the leaders' seats and avoid the real issue. It is no use concealing the fact that the fire of communalism has been enkindled and devastation begun. The

lives, properties and the most precious thing on earth—the honour of women—are being destroyed everyday throughout the country and the kindlers of that fire now want to hide their face under a false issue of condemning the Government. Not only that, but some Muhammadan leaders went so far as to accuse the Hindus for not having condemned the action in question. An honourable member of this House did so in his latest speech at Barisal. But may I ask him if he protested against the stabbing and murdering of innocent Hindus in broad daylight in the heart of Calcutta in last April? Was he pained to hear that some Hindu youths in their struggle to protect the men of their community were shot dead by machine guns? Did he raise his smallest finger when he learnt that the Muhammadan hooligans assaulted the Hindu villagers in Pabna, looted their houses and ravished the honour of their women?

Babu NALINIRANJAN SARKER: Is this relevant, Sir?

Mr. PRESIDENT: Mr. Biswas, you must confine yourself to the motion.

Babu SURENDRA NATH BISWAS: Sir, the incidents I am referring to are only instances of a series of acts that are the results of the working of a spirit which is more responsible for the Ponabalia tragedy than Mr. Blandy. I am dealing with the question of responsibility as to the action under discussion.

Mr. PRESIDENT: I think this is mere repetition of what you have already said and you cannot do that. Have you anything to say upon the motion before the House?

Babu SURENDRA NATH BISWAS: Was he shocked to hear of the Hindu students of Minerva Hostel in Dacca being brutally assaulted and murdered by the men of his community without the least cause or provocation?

Mr. PRESIDENT: Please resume your seat; I cannot allow you to go on in this way.

The member thereupon resumed his seat.

Babu SACHINDRA NARAYAN SANYAL: It is with the greatest reluctance that I rise to speak a few words on the adjournment motion but the subject of contention being very intricate, one is likely to be misunderstood in a matter like this. At the outset, therefore, I take this opportunity to disclose that I am not actuated by communal bias, when I take part in the discussion.

Sir, the facts in our possession are very meagre to pass any final judgment in a matter like this, but as a Hindu and, representing Hindu voters as I do, I cannot pronounce in favour of wholesale condemnation of the Government's action. The Hindus, I emphatically declare, have the right to observe customary ceremonies in connexion with their religious festivals and they would not surrender their rights for anybody. Therefore, Sir, the action of the Government in safe-guarding the right of the Hindus should not be laid aside without acknowledgment, although I sincerely wish that the friction at Ponabalia which resulted in loss of life could have been avoided.

Sir, I would be failing in my duty if I forget to mention one point in this connection. The Government *communiqué* seeks to explain away the admittedly excessive use of firearms by saying that the order of the Magistrate was not properly heard or understood by the men who shot the deadly rounds. This explanation, I submit, is not calculated to ease public opinion or establish the necessary regard for Indian lives in the mind of the police and the military. Such incidents give room for the impression that in this country human life and suffering are reckoned so cheap. I appreciate the difficulties of those responsible for the maintenance of peace in the face of fanatic mobs but at the same time, I ask the guardians of Law and Order to see that they do not forfeit public confidence by any reckless use of the bullets.

4-15 P.M.

Sir, we would be acting contrary to all sense of justice if we condemn at this stage the action of the European Magistrate of Barisal, who cannot be accused of any Hindu bias, because he opened fire upon a mob armed with *lathis*, spears, and *lejas*, and bent on forcibly interfering with the rights of the Hindus. The harmful communal agitation, which is being encouraged by interested parties is responsible for all these miseries to the common people, and it is high time that the brains behind this agitation should be brought to book.

Sir, I would, in conclusion, appeal to the House not to pass any hurried judgment and request the Government to make a sifting enquiry into this event, so that there might not be any recurrence of such deplorable occurrences. (Hear, hear.)

Khan Bahadur Maulvi EKRAMUL HUQ: Sir, the question be now put.

The Hon'ble the President then called upon Dr. J. M. Das Gupta to speak.

Khan Bahadur Maulvi EKRAMUL HUQ: I rise to a point of order, Sir. I have asked the President to kindly put the question.

Mr. PRESIDENT: The matter is a very important one, and I think the debate should go on.

Sir ABD-UR-RAHIM: In that case, Sir, we cannot have any division on the motion: only 15 minutes are left.

Mr. PRESIDENT: How can I accede to your wishes, Sir Abd-ur-Rahim, when I find members on all sides so keen and anxious to speak on the subject?

Mr. H. S. SUHRAWARDY: Mr. President, did you not make a ruling that you would call upon the Hon'ble Member in charge to speak before the closure.

Mr. PRESIDENT: I did not give any such ruling.

Dr. J. M. DAS GUPTA: Sir, I think I should not be true to myself if I were to record a silent vote on this very important question. The reason why I rise to speak is to record my most emphatic condemnation of the diabolical—I advisedly say diabolical—policy that Government has followed for the last 11 months, a policy, which I maintain, and which I hope to prove presently, is mainly responsible for this most bitter communal disunion (hear, hear) that has come to exist in this country and which threatens to put the hands of the dial of our political clock back. After all, Sir, the Ponabalia incident, like many other similar happenings, is the natural outcome of this policy which has brought about the present state of affairs. I would first start from Barisal. Sir, at Barisal I found that the largest number of the population there were permitted.....

Mr. H. S. SUHRAWARDY: On a point of order, Sir. Is the hon'ble member entitled to speak about incidents at Barisal and elsewhere, which have nothing to do with the incidents at Ponabalia, although they have undoubtedly something to do with the estrangement of feelings that now exist between the two communities.

Mr. PRESIDENT: The member is merely giving some facts.

Dr. J. M. DAS GUPTA: I maintain, Sir, that the Ponabalia incident was not an isolated incident, and things happening elsewhere contributed to this incident. Sir, I found at Barisal, Patuakhali and other places armed bands were permitted to parade the streets on the last *Id* day: the Civil Courts had to be closed, and on the celebrated occasion of the Jail riots, armed bands.....

Maulvi KADER BAKSH: Is it relevant to the motion before the House.

Mr. PRESIDENT: You can rise on a point of order but you cannot put that in the form of a question straight to the member in possession of the House.

Dr. J. M. DAS GUPTA: Armed bands of large numbers of people of the two communities were permitted to come face to face, and though the Subdivisional Officer and the Inspector of Police were present in the beginning, they conveniently departed from the spot so that the two bands of Hindus and Muhammadans might fight each other and spread the communal tension. That is the state of things we found there. No adequate preventive measures were taken: on the other hand the comparatively backward community, I mean to say backward from the point of view of education and literacy and political consciousness, was so supported that they were emboldened and started taking extreme measures against the other community.

Mr. PRESIDENT: I think you are going too far and we have very little time.

Dr. J. M. DAS GUPTA: I shall finish in a few minutes. My contention is this that in deciding on this question we should not take into consideration this particular incident alone, but we should concentrate our attention on the policy of Government, which, I maintain, has been mainly responsible for this communal tension, and the committee of enquiry should take that broad point of view and should study the entire question of communal dissention which arose about 11 months ago.

Mr. PRESIDENT: Order, order! As the time-limit will be reached at 4-30 P.M., I cannot give you more time and must give the Hon'ble Mr. Moberly an opportunity to speak.

The Hon'ble Mr. A. N. MOBERLY: I welcome this motion for one reason but for one reason only. That reason is that it gives me the opportunity of expressing publicly on behalf of the Government of Bengal our deep regret at the deplorable loss of life which took place at Kulkathi and our sincere sympathy with the relations of those who were killed or wounded.

The men who threatened to overwhelm the police were ignorant and misguided and they suffered for the actions of those who should have known better but had been fanning the flame of religious fanaticism in Bakarganj for some weeks before this tragedy occurred.

Bakarganj has unfortunately been for some time past the chief centre of communal unrest in Bengal. About the time of the Calcutta riots tension became acute in Barisal, but the good sense of the local leaders then averted an outbreak. Later, however, trouble broke out at Patuakhali where it still continues owing to the refusal of one community either to abide by the previous custom or to resort to the civil courts for a decision, and although serious rioting has been averted, the influence of affairs at Patuakhali has not been without its effect in steadily increasing the tension in other parts of the district. A decision of the District Magistrate, with regard to the local custom at Pirozpur, was followed by the issue of a leaflet in which the Muhammadan leaders of the district, including those who have been named by the mover of this motion, proclaimed a *hartal* to be observed on the 6th March, a date which coincided with the Saraswati Puja, and they insisted on carrying through their programme although the District Magistrate wrote to Khan Bahadur Maulvi Hemayetuddin Ahmad pointing out the danger of mass meetings on that day and pleading for a postponement. Large crowds of armed men assembled at many places and serious trouble was with difficulty averted at Barisal, Bakarganj, Baufal, Madhabpasa, Rahamatpur, Baichandi, and Bhandaria.

Maulvi ABUL KASEM: On a point of order, Sir. Are we discussing the whole situation in the Bakarganj district, or the particular happening at Ponabalia?

Mr. PRESIDENT: I think the Hon'ble Member is not at all irrelevant, and, having regard to the shortness of time at our disposal, I think, he should be allowed to go on undisturbed.

Babu NALINIRANJAN SARKER: And to say whatever he likes.

Mr. PRESIDENT: Order, order! Your remarks are not pertinent.

The Hon'ble Mr. A. N. MOBERLY: The feeling in Barisal led first to panic and then to a provocative Hindu procession which left feelings very strained and the trouble then spread to Bhola where a compromise had previously been effected. In short, the tension throughout the district was about as serious as it could well be.

There are three places at which *mélas* are held on the occasion of the Shibaratri. Two of them, Ponabalia and Shikarpur, are shrines of some eminence, and the normal attendance is some twenty thousand and fifteen thousand respectively. The *méla* at Kashipur is smaller.

In the condition of tension which existed the persons in charge of these *mélas* expressed their apprehension of disturbances and the District Magistrate personally visited Ponabalia and Shikarpur. In both places there are small mosques at some distance from the *méla* ground; the mosque near Ponabalia, which is situated on the boundary of the villages of Kulkathi and Jagannathpur (it is actually in the latter village) is close to the road along which pilgrims from the direction of Nalchiti pass; the mosque near Shikarpur, with which we are not now directly concerned, is further from the road. The District Magistrate arranged for the deputation of 30 police to Ponabalia, of which a picket of one havildar and ten men were to be stationed near the mosque, and sent the Subdivisional Officer there in advance. Neither he, nor the Subdivisional Officer, were able to ascertain that there was any custom that processions should stop music whilst passing the mosque, and subsequent enquiries have confirmed this.

A great deal has been made of the fact that the Eastern Frontier Rifles were deputed to Ponabalia, and it has been suggested that the District Magistrate might have had recourse to armed police. The number of armed police in the Bakarganj district is 100 and they had been reinforced by 40 men from Faridpur and Tippera, and owing to the disturbances at the time of the Swaraswati Puja 75 men of the Eastern Frontier Rifles had been brought from Dacca. Owing to the disturbances all over the district it became necessary to dissipate this force. It was necessary to keep a certain number of men in Barisal partly because disturbances had recently occurred there and partly to meet emergencies which might occur at any moment anywhere in the district. Thirty men were absent in Bhola and a large party had to be employed on escorting Satyagraha prisoners from Patuakhali to Barisal. Sixty-two men were required for the *mélas* at Ponabalia, Shikarpur and Kashipur. Consequently, the District Magistrate had no alternative except to employ the Eastern Frontier Rifles. Many gentlemen have suggested that the employment of the Frontier Rifles is unprecedented. I would remind them that they were employed in Calcutta during the riots in 1926 for picketing the streets, and they are always being called out—they went to Pabna, Khargpur, they were employed during the Janmastami festival in Dacca and they are deputed as a matter of routine to the mill areas during certain festivals. They are armed with rifles and *kukris*, they have no *lathis*. They fire bullets and not buckshot. I may add here that when an order to fire with ball is given it is perfectly useless to fire at the legs of a mob at close range: the whole object of firing is that when the police fire the firing should have immediate effect.

Well, of the 30 men of the Eastern Frontier Rifles who were present at Ponabalia, it was intended originally that 20 should be used to prevent disturbances at the *méla* and 10 at the mosque. When the

Subdivisional Officer found that serious trouble was threatening at the mosque, he strengthened the picket to 2 havildars and 14 men, and at a later stage brought up four more men. The total force at the time when the firing took place was, therefore, 2 havildars and 18 men.

I am considerably hampered in giving a detailed account of the circumstances which led up to the firing, as the doings of one of the principal actors, a Maulvi who was arrested on a charge of incitement, are *sub judice*. I can only say that when the Subdivisional Officer went to the mosque at 7-15 A.M. he found a gathering of about 70 or 80 men who refused absolutely to allow any procession to pass the mosque with music.

At about 8-45 a small Hindu procession arrived and was halted at a distance from the mosque whilst the Subdivisional Officer again attempted to induce the Muhammadans to let it pass. The crowd had been steadily increasing and by 9-15 when the District Magistrate and the Superintendent of Police arrived it had increased to 300, many of whom were armed with spears, *lathis* and bamboo poles. Some at any rate of these persons came from a distance of 3 or 4 miles, from the immediate neighbourhood of the town of Nalchiti.

The mosque stands in an open space immediately to the south of the road—a narrow road intended only for foot passengers, about 3½ feet to 5½ feet wide. On each side of the road is a ditch about 4½ feet wide. The compound of the mosque is generally slightly below the level of the road, but a strip of it on the edge of the ditch has been raised to the level of the road by earth taken from the ditch. Behind the mosque is a thicket of *supari* trees and on the north of the road a betel-nut plantation comes up to the road though the trees are not so close together as they are behind the mosque.

When the District Magistrate arrived he asked the Muhammadans to abide by his decision and let the procession pass with music. They refused and assumed a very aggressive attitude. The Eastern Frontier Rifles were then called up and lined up on the road in front of the mosque.

Mr. PRESIDENT: Order, order! The time-limit has been reached and the motion is automatically terminated.

Sir ABD-UR-RAHIM: May I ask, Sir, whether it suits the Government that the motion should not be put to the vote.

Mr. PRESIDENT: Order, order. That question does not arise.

[At 4-32 the Council was adjourned and it reassembled at 4-42 P.M.]

GOVERNMENT BUSINESS.

Demands for grants.

5.—Land Revenue.

MEMBER in charge of DEPARTMENT of REVENUE (LA REVENUE) (the Hon'ble Maharaja Kshaunish Chandra R Bahadur, of Nadia) : On the recommendation of His Excellency Governor I beg that a sum of Rs. 39,31,000 be granted for expendit under the head " 5.—Land Revenue " (page 23, Civil Estimate).

All the members have received a memorandum circulated by t Finance Department explaining the increased demand of Rs. 50,(on account of the occupiers' share of the municipal taxes which r realised and debited on the payment of taxes under the head " 5 Land Revenue ". That is why the demand has been increased fr Rs. 38,81,000 to Rs. 39,31,000.

There is an increase of about Rs. 1,40,000 over the current yea budget. This is due to increase in—

	Rs.
Charges of administration	5,000
Maintenance of Government estates ...	18,000
Survey and Settlement	44,000
Land Records	12,000
Assignments and Compensation ...	25,000
Municipal taxes	50,000

whereas there is also a saving amounting to Rs. 14,000 in differe items. Therefore the total excess is Rs. 1,40,000. This increa is due mainly to two new offices having been opened for Dinajpur-Ruhi and Natore-Nachoul Railways for land acquisition but this cost wi be recovered afterwards. The special office at Burdwan for Damod Canal project has also to be continued. In " Management of Gover ment estates," there is an increase on account of the outlay on agr cultural and sanitary improvements, which includes tanks and well In the Survey and Settlement there is some increase but I can assu the Council that the two-party programme which was discussed in th Council in 1921 has been adhered to. The district of Burdwan will b taken up next year and work in the district of 24-Parganas will be i full swing. So there has been some increased provision. I shall me the other points raised in the discussion at a later stage. I hav nothing further to say at this stage.

The following motions were called but not moved: —

Khan Sahib Maulvi ABDUS SATTAR: "That the demand for Rs. 57,200 under the head '5A.—Land Acquisition Establishment—Pay of Land Acquisition Officers' be reduced by Rs. 22,500 (page 24, Civil Estimate)."

Khan Sahib Maulvi ABDUS SATTAR: "That the demand of Rs. 30,000 under the head '5A.—Certificate Establishment' be reduced by Rs. 14,500 (page 24, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 81,000 under the head '5A.—Charges of Administration—Pay of Officers' be reduced by Rs. 77,000 (page 23, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 54,108 under the head '5A.—Land Revenue—Allowances, etc.' be reduced by Rs. 10,000 (page 23, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,05,516 under the head '5A.—Land Revenue—Contingencies' be reduced by Rs. 10,516 (page 23, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD formally moved that the demand of Rs. 2,54,000 under the head "5A.—Charges of Administration" be reduced by Rs. 1,29,000 (page 23, Civil Estimate).

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I formally oppose it.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

Dr. PRAMATHANATH BANERJEA: After the explanation which has been given by the Hon'ble Maharaja Bahadur I do not think it is necessary for me to move the motion standing in my name.

The following motion was therefore, not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 2,54,000 under the head '5A.—Charges of Administration' be reduced by Rs. 54,000 (page 23, Civil Estimate)."

Maulvi ABUL KASEM: I beg to move that the demand of Rs. 2,54,000 under the head "5A.—Charges of Administration" be reduced by Re. 1 (page 23, Civil Estimate).

Sir, I move this motion as a token cut simply to express disapprova of this House on the administration of the Land Revenue Branch c the Government for not introducing the Bengal Tenancy Act in thi session. It has been pending before the Government for a prett long time. I believe, it has become a piece of ancient history an that if few more months are allowed to pass Government will com forward with a plea that the enquiries made and the report submitte by the committee are too old to be considered to be of any valu Therefore there has been a strong feeling in certain quarters not onl in this House but in the whole province that the delay in introducin the Bengal Tenancy Act was deliberate. I apprehend that in th present Council there is very little chance of that measure bein introduced. Therefore, Sir, I move that as an expression of ou disapproval of the conduct of the administration of the Revenu Department the grant under the head " 5A.—Charges of Administra tion " be reduced by Re. 1.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadu of Nadia : Sir, Maulvi Abul Kasem has told us that there has been deliberate delay on our part in introducing the Bengal Tenancy Bil In reply to a question asked the other day I have said distinctly that committee is sitting at the moment and until and unless they hav finished their labours in that committee the Bill cannot be brough before the House. I can assure him that it is not going to be a ques tion of ancient history. A Bill was prepared as is known to every body in this House and I have every hope that it will be brough before the House during the lifetime of the present Council.

The motion that the demand of Rs. 2,54,000 under the head " 5A.—Charges of Administration " be reduced by Re. 1 was then put and division taken with the following result :—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Maulvi Syed Nausher.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Balkh, Maulvi Kader.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Ghose, Babu Amarendra Nath.
Gofran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Himatsingha, Babu Prabhu Doyal.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Hug, Khan Bahadur Maulvi Ehraneul.
Hussain, Maulvi Syed Maqbul.

Ismail, Khan Bahadur Maulvi Muhammad.
Karim, Maulvi Abdul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Nasser Rahman.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjee, Srijut Tarakanath.
Nasker, Babu Hem Chandra.
Rahman, Maulvi Shamsur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. B. N.
Roy, Mr. Kiran Sankar.
Sadeque, Maulvi Mohamed.
Sarker, Babu Nalinranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.

NOES.

Addams-Williams, Mr. C.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syamhas.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. D.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sashee, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Stuart-Williams, Mr. S. G.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 54 and the Noes 51, the motion was carried.

Khan Sahib Maulvi ABDUS SATTAR : As I have got the information I wanted, I do not wish to move the motion standing in my name.

The following motion was therefore not moved:—

Khan Sahib Maulvi ABDUS SATTAR : "That the demand of Rs. 8,78,000 under the head '5B.—Collection of Revenue' be reduced by Rs. 25,000."

Rai HARENDRANATH CHAUDHURI: "I move that the demand of Rs. 1,69,000 under the head '5B.—Colonization of Sunderbans' be reduced by Re. 1."

We all know that the colonisation scheme in the Sunderbans came on the top of the Government policy not to settle waste lands, so far as the Sunderbans is concerned, with large capitalists. There is a resolution of the Board of Revenue stopping settlement of Sunderban lots with large capitalists, such as used to be made before. It is in pursuance of that policy to exclude middlemen and capitalists that colonisation and *raiyatwari* settlement of Sunderban areas has been undertaken. It is in pursuance of a policy of what I may call "State socialism" though only in another name and in another form. It is at any rate the pursuit of a policy which was formulated long ago by one of the members in charge of the Madras Board of Revenue, a policy which was known as the Thackeray system, and which may be found adumbrated in Mr. Thackeray's letter to the Board of Directors published in the Fifth Report. That policy, boiled down, comes to this, namely, that in this country there is no necessity of statesmen or judges, generals or captains of industry, no men in high position, no fat rajas are required here, only we should have small holders of land and tillers of the soil who would not be able to combine against the foreign system of Government or supply influential leaders of the people. Some time ago, I enquired whether, in pursuance of such a policy this scheme has been launched. Nothing but a negative answer I could expect and I did receive a negative answer from the Government. Whatever may be the policy underlying the scheme, I am not going to deal with that now, so far as this motion at least is concerned. Taking the scheme as it is worked out just at the present moment, I understand that settlements are made, at least that is the information I have in my possession, with all sorts of undesirable persons. We all know, Sir, that there is a large class of unemployed young men in this country. Will it not be better, if lands have got to be leased out in small holdings, to give these unemployed young men an opportunity to have settlement of these lands and to work on them. That is, Sir, my first question, and I hope the Hon'ble Member in charge will be pleased to answer that question and will also enlighten us as to the method and manner in which these reclaimed areas are settled, and whether it is a fact or not that in the *raiyatwari* settlement of lands under the colonisation scheme the selection of tenants entirely depends on the caprice of the Colonisation Officer. If so, that method should be altered and these lands should be settled in such a way, and after inviting applications properly, that the unemployed young men may get an opportunity to take settlements and that a new avenue of employment may be opened for them. That is my first suggestion.

The second point that I wish to make out in connection with this motion is that at times the Government, we know, professes much sympathy for the raiyats—of course the raiyats who possess lands under the

ordinary land-holders. But what are the rights of the raiyats with whom these lands under the colonisation scheme are settled? If you look at the *kabuliat*, the form of which is given in the Bengal Waste Lands Manual, you will find that the raiyats under the colonisation scheme enjoy much lesser rights than those enjoyed by the raiyats under the zamindars. Even non-payment of rent for a few terms leads to forfeiture. Such harsh terms are in force, yet there is no end of the Government solicitude for the raiyats holding lands under the general body of landlords. I suggest the terms of the *kabuliat* should be revised and that the rights of the raiyats under the colonisation scheme should be enlarged and improved.

Khan Sahib Maulvi ABDUS SATTAR: I heartily associate myself with all that has been said by the learned mover of this motion. I would like only to add that with regard to my province of Chittagong, there are large tracts of land which require handling and the people living in the neighbourhood of these lands are dying for want of food, as they cannot grow sufficient crops. Instead of following the policy of settling the waste lands with undesirable people coming from remote localities, I think the scheme outlined by the mover should me undertaken to give employment to desirable men. In this view of the matter I give my support to the motion—I may add that I do not approve of the Government policy.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: In the first place, I must say that I have full sympathy with the object which my friend Rai Hareudranath Chaudhuri has in placing his motion before the House and in pressing the claims of unemployed young men. I should have been glad to know what sort of unemployed young men he had at the back of his mind when he brought forward this motion. Obviously, he means unemployed middle class young men. If that is so, I can proceed to reply. Government have recognised this for many years as one of the most urgent problems in this province, and the very principle laid down in the Bengal Waste Lands Manual is: "It is the general policy of Govenrment to settle waste lands with actual cultivators, but in special cases, with the specific sanction of the Board, settlement may be made with capitalists where, owing to the inaccessibility or isolation of the block or the difficulty in securing cultivators, there is no hope of effecting a raiyatari settlement for a considerable time."

[5-15 P.M.]

Then, as regards the unemployed young men of middle-class families the Bengal Government have laid down that in cases where a *bhadralok* has undergone, or is willing to undergo a course of agricultural

training, or in cases where a *bhadralok* with a good working knowledge of agriculture is willing and able to undertake manual labour like an ordinary substantial cultivator, the Collector is authorised to make a settlement with such *bhadralok* on the usual cultivating terms of a holding of the ordinary size, and to help him with a loan and other reasonable facilities to reclaim and develop his holding. So, this rule goes a little further than what my friend wants.

Then, my friend has raised the question of inviting applications. I do not think that is the proper way of settling lands. Does my friend, who himself is a zamindar, invite applications when he settles his lands?

Rai HARENDRANATH CHAUDHURI: Certainly.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I myself possess some land and I do not always invite applications except issuing a notice that lands are available and those who are in want of land come forward and ask for it. The District Officer in some districts has land at his disposal for settlement and anybody wanting land is quite welcome to approach him, and if land is available, I have no reason to believe that the Collector will withhold permission unless the applicant is an undesirable person to make the settlement of the land with.

Various experiments have been tried in the past on the exact lines indicated in Rai Harendranath Chaudhuri's speech. Two or three settlements were organised by Sir Daniel Hamilton in the Sunderbans, and with the help of the same gentleman a *bhadralok* colony was started in Char Fasson, and in Khulna 2,200 acres were leased with the Bengal Young Men's Zamindary Co-operative Society in 1909. All these experiments have been failures and I think my friend is aware of that. The land has been sub-let to cultivators of the cultivating class and practically no portion of the area thus settled has been cultivated by people of the *bhadralok* class with their own hands and probably that is the reason why my friend has refrained from mentioning that class of men.

In 1917, at the instance of the Government of India, the Collector of Bakarganj and the Commissioner of Dacca were asked to prepare a scheme for the training of *bhadraloks* in farming and the establishment of a colony in some fertile char, not too inaccessible. Many of the officials and non-officials were consulted and it was generally held that it was useless to allow *bhadraloks* to start cultivating land without some preliminary training of a practical sort. Far from being able to work the land with their own labour they would not be able to direct hired labourers properly and would end in losing their capital. It was calculated that the initial expenditure on starting 25 *bhadralok* families on the land would not be less than Rs. 16,000.

I do not want to take up the time of the Council any further, but all that I have got to say is that if my friend happens to know of any one who wants to have land he will kindly advise him to approach the Collector who I am sure will give his application very careful attention.

The motion of Rai Harendranath Chaudhuri was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Bakah, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Mr. S. C.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Kasem, Maulvi Abul.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Tarakanath.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sarkar, Babu Nalinirenjan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Crawford, Mr. T. G.
De, Mr. K. C.
Dey, Mr. B. S.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Edris, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. G. N.
Goenka, Rai Bahadur Badridas.
Haque, Khan Bahadur Maulvi Azizul.
Lahiri, Mr. Basanta Kumar.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. S.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Sahi Kshaunish Chandra, of Nadia.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarkar, Rai Sahib Rebati Mohan.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Woodhead, Mr. J. A.

The Ayes being 32 and the Noes 48 the motion was lost.

Adjournment.

The Council was then adjourned till 2-30 P.M., on Tuesday, the 15th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 15th March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 106 nominated and elected members.

Starred Questions

(to which oral answers were given).

Jabuna Scheme.

*44. **Dr. PRAMATHANATH BANERJEA:** Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(i) what is the present position with regard to the Jabuna Scheme; and

(ii) whether it is the intention of the Government to proceed with the scheme at an early date?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (i) A revised project is being compiled for the balance of the work to be done and is expected from the Superintending Engineer shortly.

(ii) As soon as the project is received, action will be taken under Act VI of 1920.

Dr. PRAMATHANATH BANERJEA: Is there any possibility of the scheme being taken in hand during the current year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Leather tanning D[illegible]ation party.

*45. **Khan Bahadur Maulvi EKRAMUL HUQ:** Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that the Demonstration party for leather tanning working at Rajshahi has been disbanded?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): The party was disbanded on the expiry of the sanctioned period. It has, however, been decided to re-employ the party, and steps are being taken to reconstitute it.

Unstarred Questions

(answers to which were laid on the table).

The Upper Kumar River.

166. Babu SURENDRA NATH BISWAS: (*a*) Is the Hon'ble Member in charge of the Department of Irrigation aware that the Lower Kumar River as well as the major portion of the Upper Kumar, which flows through the district of Faridpur, is being silted up?

(*b*) Is the Hon'ble Member also aware that the portion of the Upper Kumar between Deora and Sreenathdi is very badly affected and gets almost dried up during winter?

(*c*) Is it a fact that arrangement is being made every year to dredge the Lower Kumar, but that no arrangement has yet been made to dredge the Upper Kumar?

(*d*) Will the Hon'ble Member be pleased to state whether Government contemplate taking steps to dredge the Upper Kumar?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Both rivers have deteriorated.

(*b*) The river is shoal at the places named due to tidal action.

(*c*) Yes.

(*d*) There are no such proposals before Government.

Teachers' Provident Fund.

169. Kazi EMDADUL HOQUE: Will the Hon'ble Minister in charge of the Department of Education be pleased to state—

(*i*) whether it is the intention of Government to compel the managing committees of all aided schools to open Provident Fund accounts for their employees?

(*ii*) whether the opening of Provident Fund accounts in Government aided high English schools is a condition for increased grant in aid;

(*iii*) whether the managing committees of aided high English schools are entirely responsible for the custody of Provident Fund money;

(*iv*) whether the Provident Fund money of an aided high English school can be invested under the sole responsibility of the managing committee of the school;

(*v*) whether the managing committee is solely entitled to the benefit of interest accruing on account of the Provident Fund; and

(*vi*) whether the managing committee of an aided high English school can reject an application of a teacher, desiring to contribute to the Provident Fund of the school?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): (*i*) Yes.

(*ii*) Normally.

(*iii*) This is at present generally the case.

(*iv*) As under (*iii*).

(*v*) A Provident Fund with rules of this kind would not ordinarily be approved by the department.

(*vi*) This depends on the rules of the Fund in each particular school, which may in certain cases exclude certain teachers, *e.g.*, temporary teachers, or teachers over a certain age.

Mr. D. N. ROY: Is it in the contemplation of Government to bring up any kind of legislation with regard to this Provident Fund?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: No legislation is required.

Hooghly Madrasah.

110. Maulvi ABUL KASEM: With refereuce to unstarred question No. 23 of the 22ud February, 1927, will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is a fact that the building in which the Hooghly Madrasah is located was originally a Madrasah building and that other secular institutions came in there by sufferance?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: No, it is not a fact.

Maulvi ABUL KASEM: Is it not a fact that the building in which the Madrasah and the Hooghly College are at present located was made out of funds given by Moshin Ali for the Madrasah?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I must ask my friend to give fresh notice.

Feni Co-operative Central Bank.

111. Maulvi MOHAMED SADEQUE: Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) what is the working capital of the Feni Co-operative Central Bank;

(*ii*) what is the amount of arrears outstanding (both principal and interest); and

(*iii*) what is the principal overdue?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI:

(*i*) Rs. 3,12,496.

(*ii*) Rs. 2,93,657.

(*iii*) Rs. 1,28,210.

Government contribution for construction of a bridge near Chandpara on Eastern Bengal Railway.

112. Maulvi SYED ABDUR RAUF: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether it is a fact that the Eastern Bengal Railway constructed a bridge near Chandpara Railway Station of the Central Section with a contribution from the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what was the amount contributed by Government?

(*c*) Will the Hon'ble Member be pleased to state the specific purpose for which the Government contribution was made?

(*d*) What is the total value of the work done?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Yes.

(*b*) Rs. 39,795.

(*c*) The bridge was constructed to pass one of the subsidiary channels to be excavated in connection with the Jamuna project, Part II, under the railway.

(*d*) Rs. 43,992.

GOVERNMENT BUSINESS.

Demands for grants.

5.—Land Revenue.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 12,77,000 under the head 'Management Estates' be reduced by Rs. 100 (page 27, Civil Estimate)."

Maulvi SYED MAQBUL HUSAIN: I have looked into the figures with the Secretary and after this I do not press the motion standing in my name.

The following motion was therefore not moved:—

Maulvi SYED MAQBUL HUSAIN and Khan Bahadur Maulvi EKRAMUL HUQ: "That the demand of Rs. 12,77,000 under the head '5B.—Management of Government Estates' be reduced by Re. 1 (page 27, Civil Estimate)."

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,41,067 under the head '5C.—Land Revenue—Survey and Settlement—Allowances' be reduced by Rs. 20,000 (page 28, Civil Estimate)."

Nawab MUSHARRUF HOSAIN: I beg to move that the demand of Rs. 21,58,000 under the head "5C.—Survey and Settlement" be refused (page 28, Civil Estimate).

You are aware that the Settlement Department deals with the disputes that arise in connection with the rights of holders of land. So far as those rights are concerned the Bengal Tenancy Act, as it stands at present, is not beneficial to any class of landlords, and in order to bring into conformity with the demands of the people the Bengal Tenancy Act is going to be amended. I have heard that it is going to be amended in the course of a year or so. If so, the rights now being recorded will be of no use after the Act is amended. In view of this fact and specially as it will be of no advantage to tenants in general I think the settlement operations should be discontinued. With this object in view I move my motion.

Maulvi ASIMUDDIN AHAMAD spoke in Bengali. The English translation of which is as follows:—

"Since survey and settlement operations were taken up in Bengal, twenty to twenty-two lakhs of rupees are spent annually on them. The greater part of this money is realised from the poor tenantry and the landlords pay a small part of it.

I am not aware that either of the parties affected by these operations derive any benefit therefrom. They do nothing but increase litigation and create dissensions between the two parties. I have personal experience of these operations being conducted in Tippera and I know that the amins and kanungos were in the habit of taking bribes regularly. The amins had an income of two to three hundred rupees every month and the kanungos received presents and perquisites from both the tenants and the landlords. In return for these they recorded the land belonging to one man as being in the possession of another and thereby increased litigations and dissensions.

Formerly, such survey and settlement operations were carried out amicably by arrangement between the two parties and the tenants enjoyed roads, khals, forests and fallow lands free of rent. As the result of the present operations, rent has been assessed on these and there is no more rent-free pastures for the tenants. As there are provisions for increase of rent both in the rent laws and the Tenancy Act, we consider these operations entirely superfluous. And we can moreover

judge how injurious they are when we know that though these operations in Tippera were finished twelve years ago, the litigation arising out of these is still going on, and that lands which are unfit for cultivation are assessed at the same rate as lands on which crops are grown."

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to oppose the motion moved by Nawab Musharruf Hosain which has been supported by Maulvi Asimuddin Ahamad. I come from a district in which the survey and settlement operations have just been completed and I can say with the experience of one who has seen the settlement operations in their various aspects that amongst all the departments of Government if there be any department which looks to the interests of the tenants it is the Survey and Settlement Department. I am saying these words with full knowledge and consciousness that the officers of the Settlement Department try their level best to look after the interests and rights of the tenants—in some cases more to the advantage of tenants than to that of the landlords. (Question!) I come from the district of Nadia where the tenants are in a hopelessly backward condition and tenantry rights are almost unknown.

2-45 P.M.

My friend has said that it will mean the disturbance of the agrarian relationship in this country. But looking from the broader standpoint of the country, I ask, how long do you wish to defer that day when the tenants will know their own rights? I think that these survey and settlement operations are the only means by which the tenants have been enabled to know their exact position in the country. I should say that my friend's intention is that the tenants may not be able to know their rights—they may not be able to know where they stand—and that the *gomostas*, who are generally appointed on Rs. 4 to 10 a month, should do the work of domination over the landlord and the tenants with absolutely no relief to the tenants. The survey and settlement operations have at least done this much good to this country, *viz.*, that the tenant knows exactly his position, and means are open to him by which he can vindicate his further rights, if he has any grievances. Sir, I am neither a landlord nor a tenant, but I have seen survey and settlement operations, and I do not deny that there are black sheep in every fold, but I do submit also that the checks and counter-checks which are taken in the survey and settlement operations are such that the abuses are minimised as far as possible. Certainly no institution is free from them, and I do not think that the question of the menials and the subordinate services of the Survey and Settlement Department comes in very specially at all—that they have done this or that by nefarious means. Sir, I have seen the last Bengal Tenancy Report and the notes by the gentlemen in charge of the survey and settlement works, and I can say that I have invariably noticed that these gentlemen, who have been in the Survey and Settlement Department, have always tried to vindicate the

rights of the tenants as far as possible and as far as lies in their power. My friend, Nawab Musharruf Hosain, has said that it will not be in the interests of the country to have this survey and settlement just now in view of the fact that the Bengal Tenancy Act will soon be brought before this legislature. May I tell the Nawab Sahib that he labours under a misapprehension? The new Bengal Tenancy Act will be an Act on the lines of the old Act: it will be either an amendment of the old Act or an Act with substitution of new rights in place of certain old rights which exist at present. I do not think that the old rights will be done away with: the amendments will be made with a certain exposition of old rights or amplification of old rights where necessary. And if that be the case, I do not see any reason why the survey and settlement operations should be deferred any more. On the other hand, it is necessary, I think, that the tenants should know their rights before this new Bengal Tenancy Act is brought up, so that under the newer adjustments of the circumstances and the newer law they may be able to know their full rights and where they stand. Sir, I am surprised that the argument that the landlords have fought with tenants immediately after the survey and settlement operations should have been put forward at all. Looking to the broader political interests of the country, this conflict of interests between landlords and tenants is, I think, inevitable at this stage of the political advancement of the country. And I think that the sooner this conflict is set at rest the better for all concerned, and from that point of view I would not defer the operations. But as I have been saying, the tenants should know their rights, which they at present do not know, and I think that it will be a great disservice to them if the survey and settlement operations are not taken up immediately. I will only give one historical example, and that from my own district, where there is the *uthandi* system of land tenure. In the years 1901-03 there were several enquiries undertaken at the instance of Government, and it was found that it was a true fact that the tenants were very much oppressed by the landlords. The only conclusion to which they came at that time was that the survey and settlement operations would ameliorate the condition of the tenants as well as secure them their rights. I think this is perfectly true to-day. All that we should do is to make the tenants know what their rights are and how they stand. I think that barring this there is no other alternative, from the point of view of the tenants.

With these words, Sir, I respectfully submit that the survey and settlement operations should be taken up at as early a date as possible.

Babu NAGENDRA NATH SEN: Sir, while admitting that the subordinates of the survey and settlement department have recourse to malpractices, and while recognising that there are differences between landlords and tenants, I wish to dissociate myself entirely from the principle enunciated by Maulvi Asimuddin Ahamad. Far from that, I

say that certain sections of Chapter X of the Bengal Tenancy Act we intended to strengthen tenant's rights. It was intended to be a Mag Charta both for the landlords and the tenants. I come from the distr of Khulna in which there are a number of Government khas mahals the Sunderbans. The superior officers of the Settlement Departme treat the *maliks* and proprietors of estates in a step-motherly mann In the case of the Government khas mahals the rents of the raiya are enhanced in excess of the statutory limit, and in the case of priv estates the land revenue is enhanced, sometimes, as my friend B Harendranath Chaudhuri may tell the hon'ble member, from as mu as Rs. 1,400 to Rs. 35,000. In the case of the occupancy raiyats al the rent has been enhanced from seven annas to seventeen annas. A there is the further fact on which I want to lay emphasis, that in t settlement papers the King-Emperor is shown as the proprietor of t soil. That is a proposition with which hon'ble members of this Coun will not agree. It is a well-known fact that in every district Gover ment makes a net income of three to four lakhs from every settleme operation. In the Jessore settlement operations we were told th there was a surplus of three lakhs. In the Khulna settlement op ations, which have not yet been finally closed, we shall not be surpris if there is a surplus of three to four lakhs. Now, where do the surpluses go? That is a question to which we want an answer fr the Hon'ble Member in charge of the Revenue Department. And these surpluses are allowed to accumulate then we think that for th year we can disallow the demand of Rs. 21,58,000 under this hea This is, Sir, all that I have to say.

MEMBER in charge of DEPARTMENT of REVENUE (LAN REVENUE) (the Hon'ble Maharaja Kshaunish Chandra R Bahadur, of Nadia): Sir, I think it will be convenient if all the motions which relate to one head are taken together, so that I may de with them in one speech.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Cha dhuri, of Santosh): I have already considered this, but I do not thi any advantage will be derived from that. Such a step, in my opinio will hardly shorten the discussion or save time. I have decided take each motion separately.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahad of Nadia: Some members of this Council are, I am afraid, under misapprehension about the utility of the survey and settlement pr ceedings which are going on in this province. Sir, some members ha urged for the total refusal of the grant for survey and settleme operations, and we have on this agenda paper several motions for cu ranging from Rs. 100 to Rs. 2½ lakhs on a demand of about Rs. 2

lakhs. Sir, it is, I fear, too late now to reopen discussion on the policy of cadastral survey and record of rights. We started with a programme about 20 years ago and almost all the districts have been completed, only a few districts remain, namely, Rangpur, Dinajpur, Malda, Burdwan, Hooghly and Howrah. All the other districts have been practically finished. A good portion of the districts of Malda, Hooghly and Burdwan has also been already done. There was a very full discussion of the policy in this Council in 1921, the arguments then put forth from either side might be rehearsed again now, but I do not think it is necessary. We are almost nearing the end of our provincial programme, and it will be unwise to leave the remaining few districts unfinished.

Individual landlords, or individual tenants, might feel that particular disputes were not decided by the Settlement Department in the manner they thought they should have been. But similar argument might just as well be put forth by an aggrieved party in a Civil Court to move for the suspension of all the courts in the province. Taking a broader view and the interest of the community as a whole—and for that end, of the administration also—there cannot be the slightest doubt that these surveys and records are of immense value far outweighing the comparatively small expense at which the work is carried out. The Royal Commission on Agriculture, which came to Bengal a few months ago, have laid stress on the importance and value of these village-records: they gave certainty of title to all grades of persons interested in land and operate as a strong preventive against frivolous litigation.

It is, however, unnecessary to theorise. The best test of the pudding is in the eating thereof. These records and maps have already been prepared in all but a very few districts. The value of these records and statistics are well known to those who are interested—landlords and tenants—as well as to Government in all its branches. The landlords have got an authentic record of their properties and know how their lands are being actually held, at a nominal cost of about only 3 to 4 annas a bigha. To the tenants they afford the most invaluable title deeds which explains their rights and define their lands. Every tenant can say his field by the plot number, every landlord knows exactly how every inch of his land is held and how his subordinate staff deal with unsettled plots. If a copy is lost, either party rushes to the Collectorate to purchase fresh copies. I think the Council will be interested to know that maps and khatians valued over Rs. 7 lakhs have been purchased in this way during the last 9 years. (A VOICE: It is a source of income to Government.) Well, if anybody finds that these are absolutely necessary for his use, and that he cannot get it elsewhere but from Government who prepare the records of right, then of course he has got to pay to Government for these maps and khatians.

The records of these settlement operations will be just as valuabl to the present and subsequent generations of all grades of landlord and tenants as the *thak* maps are to the zemindars and the *mughi* surve to the Chittagonian.

None the less important is the educative value. It is really thes proceedings in the villages which bring home to the people, bot tenants and landlords, a correct knowledge of the rights, privileges an liabilities which the legislature has embodied for them in the statut book.

To Government and local bodies the settlement records give th only reliable materials to work on any scheme. Without village map it would be impossible to draw up, for instance, a scheme of water supply, or to deal with an irrigation problem, or to organise even ou union boards. I think I have said enough to convince the Council, i it really needed conviction. It is no practical proposition to-day t cry halt to the programme of settlement operations: on the contrar it will be disastrous to all interested in land—zemindars, tenure-holder and raiyats—if a contrary policy is adopted by this Council. I do no think I need go into the particular grievances raised by some of th previous speakers, they have been very ably met by my friend Kha Bahadur Maulvi Azizul Haque, and I do not want to repeat the argu ments in favour of the utility of the settlement operations which ar going on in the province.

3 P.M.

Sir, if there has been some difference of opinion as to the corre decision given by some revenue officers I think, those decisions i individual cases must depend on the circumstances of the cases and i will not be possible or right to dictate from here, in this Council how a Settlement Officer should decide particular claims or claims i particular areas. I, however, assure the mover and the other member of the House that if they have any grievance and if these are brough to the notice of the Revenue Department, I shall see that enquirie are made, and if necessary, instructions will be issued.

Sir, I do not think we are extravagant in conducting settlemen operations. As I have already said there was much discussion on thi question in the Council in 1921. It was then decided to reduce th four-party programme to a two-party one and this has been adhere to. According to this programme Burdwan will be taken up nex year and the work in the difficult areas of the 24-Parganas will be i full swing. I repeat again that as a result of these settlement proceed ings and record of rights the zamindar gets a complete record of hi lands and the tenant gets a complete map at a very cheap rate.

I cannot therefore agree to reduce the demand which I have alread made.

The motion that the demand of Rs. 21,58,000 under the head "5C.—Survey and Settlement" be refused was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Chakravarti, Babu Jogindra Chandra.
Chakrabortty, Babu Jatindra Nath.
Chatterjee, Babu Umes Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Ismail, Khan Bahadur Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamiruddin.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. S. N.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Lahiri, Mr. Basanta Kumar.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Moberly, the Hon'ble Mr. A. H.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Samyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. E. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 38, and the Noes 58, the motion was lost.

Babu AMARENDRA NATH GHOSE moved that the demand of Rs. 21,58,000 under the head "5C.—Survey and Settlement" be reduced by Rs. 2,50,000 (page 28, Civil Estimate).

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, no new argument has been put forward. A very similar argument was brought by Nawab Musharuf Hosain and the Council has already passed its verdict on that motion.

I oppose the motion.

The motion of Babu Amarendra Nath Ghose was put and lost.

Rai HARENDRANATH CHAUDHURI: I beg to move that the demand of Rs. 21,58,000 under the head "5C.—Survey and Settlement" be reduced by Rs. 50,000 (page 28, Civil Estimate).

Sir, it is not with the object of making any heavy cut in the demand for the Settlement Department that I am going to put this motion. It is just to bring under criticism certain acts of the Settlement Department that I am going to move this reduction. It has been said, Sir, in connection with previous motions that the Settlement Department works for the benefit of the raiyats and tenants of the land, that their object is and their work leads to the amelioration of the conditions of the tenants. It is just because they acquaint the tenantry with their rights as against the landlords who, it is alleged, oppress them that the operations of the Settlement Department should be welcomed. It may be so in the view of those who probably have no intimate knowledge of the operations of the Settlement Department. But the one thing which I am sure of is, that sometimes the work of the Settlement Department also injures and hurts the tenants, and I am going, Sir, to deal with an instance in which the tenant's rights are not simply disregarded but are actually robbed by the Settlement Department. As an instance of the vagaries of the Settlement Department I would just mention the manner and method in which the under-raiyat's interests are being recorded now under the district survey and settlement operations. Since the Settlement Officer in charge of the Jessore operations, Sir, took it into his head to exploit section 183 of the Bengal Tenancy Act and particularly illustration 2 of that section that the

3-15 P.M.

merry procedure of recording the under-raiyati holdings as occupancy holdings as also the sweeping process of conferring on them certain rights, undreamt of by the under-raiyats themselves, are going on. While in Jessore the raiyats were robbed of their rights just to confer occupancy rights on the under-raiyats, in Khulna that operation is being extended and not only most of the under-raiyati holdings are going to be recorded as under-raiyati occupancy holdings but also other incidence and other rights are going to be added to the under-raiyati

interests and holdings. In the 24-Parganas, which is under survey and settlement operations, a further step is going to be taken by recording the under-raiyati interests as heritable interests, too, if not transferable. In Khulna it has been discovered by the Settlement Officer there that the under-raiyati interests have not only the occupancy rights going with them but the under-raiyats have also the rights of transferability—rights that have not as yet been secured generally by the raiyats themselves. I do not think therefore that the amendment of the Tenancy Act will be much necessary if the Settlement Department continues to have a free hand in such matters in future. It is evident that the Settlement Department is out to manufacture materials for the amendment of the Tenancy Act just as the Government wishes it to be amended in certain aspects. If there be any real friend of the tenants in this Council, I would ask him how is the tenant's, I mean the raiyat's position ameliorated and how his interests are enlarged by such vagaries of the Settlement Department. On the contrary, Sir, such surreptitious procedure of the Settlement Department is leading to the devaluation of the raiyati holdings—there can be no question about that. I would therefore urge on the Hon'ble Member in charge of this department to make a full and sifting enquiry into this matter and ascertain what is really the position, under which law the Settlement Department is authorised to create new rights and new customs and under which specific instructions the department is out to create such customs and customary rights. With these few remarks I would take my seat and I hope the Hon'ble Member-in-charge will take due notice of what I have said, and unless he gives a satisfactory reply to this motion, I shall be compelled to ask for a division.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, I am in a way glad that my friend Rai Harendranath Chaudhuri has raised this discussion. I am pleased to find that he does not want to cut the demand but to raise a discussion in order to clear the atmosphere. I have already told the House that if any Settlement Officer or any officer of that department has erred anywhere in the interpretation of the law, the remedy is provided in the Act already. I have only to refer to sections 103, 106 and 108 of the Bengal Tenancy Act for such remedies. My friend has already pointed out that in the Jessore settlement the Settlement Officer took it into his head to apply the merry procedure of conferring occupancy rights on under-raiyats. I can at once tell him that he was there to record the existing rights as he found them and he simply recorded them as they were. He had to be governed by the local custom. The custom gave the under-raiyats in Jessore a right of occupancy. Even many of them have mukarrari leases, and when they have mukarrari leases you cannot say that they have not occupancy right. In the 24-Parganas he complains that further rights are going to be added, one of them

being the right of heritability. I think a similar procedure is being followed there and according to the custom prevailing in this part of Bengal the rights are recorded. I have made enquiries from the Director of Land Records, and he has assured me that such entries as my friend Rai Harendranath Chaudhuri says have been made, are not really made in the record-of-rights but a simple note kept in the village notes which has no presumptive value as evidence. Mr. Jamesor informs us that the only entry which may be made in column 15 of the record is "*prathanusare* প্রথানুসারে দখলি সত্ব বিশিষ্ট etc.," in respect of under-raiyats, that is merely kept in the village notes But if he has any real grievance, I shall certainly make an enquiry into the matter, and if the law is not properly interpreted, I shal consult the law officers of Government and shall certainly take necessary steps in the matter. I hope that in view of this assurance, my friend will not press his motion.

Rai HARENDRANATH CHAUDHURI: Sir, in view of what has fallen from the Hon'ble Member-in-charge, that he will enquire into the matter and issue such instructions as may be required, I beg leave to withdraw the motion.

The motion of Rai Harendranath Chaudhuri was then, by leave of the Council, withdrawn.

Babu AKHIL CHANDRA DATTA: I beg to move that the demand of Rs. 21,58,000 under the head "5C—Survey and Settlement" be reduced by Rs. 100 (page 28, Civil Estimate).

Sir, this motion for a small cut really requires a detailed examination of the policy of the Settlement Department. That is a task, which I have been assured, my friend Dr. Banerjea will undertake. Therefore, I do not wish to inflict a speech on the House—that will be done by Dr. Banerjea.

Dr. PRAMATHANATH BANERJEA: Sir, one of the previous speakers has told the House that he is neither a landlord nor a tenant I am glad to be able to say that I am also in the same happy position I am, therefore, able to discuss the question with an open mind and in an impartial manner. The utility of the survey and settlement operations has been questioned. It has been said that the survey and settlement operations are a fruitful source of litigation. I do not think that is a proper description. As a matter of fact, the survey and settlement operations are a great safeguard of the tenants' interests It is very necessary that the tenants' rights should be properly recorded and for that purpose settlement operations are absolutely necessary But there is another aspect of the question. The settlement operation inflict a great deal of hardship, particularly on the poorer section of the people, as the tenants have to travel considerable distances to attend the settlement camps in order to have their rights recorded.

SECRETARY to GOVERNMENT, DEPARTMENT of REVENUE (Mr. F. A. Sachse): No, No.

Dr. PRAMATHANATH BANERJEA: I do not think you go to every village. The settlement camps are often situated at considerable distances from the villages. Besides, the underlings of this department, as has already been observed, often indulge in corrupt practices. These difficulties ought to be removed; and when they are removed, I do not think there would be much complaint against the operations themselves.

My friend, Rai Harendranath Chaudhuri, has said that the real object of the settlement operations is to manufacture materials for the amendment of the Bengal Tenancy Act. I do not know if that is the real object. But even if it is so, I think it is a worthy object. The amendment of the Bengal Tenancy Act has long been overdue, and it ought to be taken in hand without any further delay And the greater the material we have before us for the consideration of this measure, the better it is for all concerned. The hon'ble member for Khulna has raised a technical question. He has said that in the settlement books and in the record-of-rights the King-Emperor is described as the proprietor of the soil. Now, is that a correct description? I think not. If you refer to the Hindu scriptures, you will find that the King is not described as the owner of the soil, although he is entitled to one-sixth share of its produce.

Mr. PRESIDENT: Dr. Banerjea what are you driving at?

Dr. PRAMATHANATH BANERJEA: I am referring to the technical question raised by Babu Nagendra Nath Sen.

Mr. PRESIDENT: I think you can ignore that detail in his speech. It is not only not relevant to the discussion but is also beyond your legitimate scope.

Dr. PRAMATHANATH BANERJEA: I think it is relevant, and may I point out in what respect it is relevant?

Mr. PRESIDENT: You had better not do that.

Dr. PRAMATHANATH BANERJEA: Very well, Sir. I hope the question of the rights of the zamindars is relevant. Now, what are the rights of the tenants as against the rights of the zamindars? Are the tenants the proprietors of the soil, or are the zamindars? At the time when the Permanent Settlement came into force in Bengal over a century and a quarter ago, the zamindars were declared as the owners of the soil. I think that.....

Mr. PRESIDENT: I find that certain members are putting questions to you without my permission, or even without rising in their places and you are answering them in a hapazard way. May I, therefore, suggest to you, Dr. Banerjea, that when a question is put to you while you are in possession of the House, you should not care to answer that question till it has been put through me?

Dr. PRAMATHANATH BANERJEA: Very well, Sir. I shall not answer any further questions. The zamindars were declared as the owners of the land. Now, there is a great deal of difference of opinion on this matter. Economists are sharply divided on the question.

3-30 P.M.

But the most advanced opinion seems to regard the tenant as entitled to a greater quantum of right to the soil than the zamindars. The zamindars are intermediaries, and as such may have rendered some service to the community. I find that my friend Rai Harendranath Chaudhuri has been serving the country by attending the meetings of this Council and sacrificing a considerable amount of time for the purpose; there are several others like him. There are also some eminent zamindars who have rendered excellent services to the country in other ways. But their claim to the soil, I am sure, is not justified. I think, therefore, that if in the record-of-rights anybody is entitled to be described as the proprietor of the soil it is the tenant, rather than the King-Emperor or the zamindar.

Babu NAGENDRA NATH SEN: Mr. President, Sir, I take this opportunity of drawing the attention of this House and that of the Hon'ble Member in charge of Land Revenue as regards the extreme unsympathetic nature in which the superior officers of the Settlement Department are dealing with the diara and char lands in the Khulna and Faridpur districts. These are intersected by very big rivers and the Settlement Officers survey most of the char lands which have been thrown in these rivers and instead of making a permanent settlement with regard to these char lands they are giving leases of 15 or 20 years and have been enhancing the rents to three or four times the original rate at which they had been settled at the time when the leases were taken. Then, Sir, I would like to mention that the Settlement Officer at Khulna is occupying a big house which has cost something like Rs. 50,000 and the settlement operations are going to cease in that district and the house is going to be given to the Executive Engineer, Barisal-Khulna Division; but what compensation is the Irrigation Department going to make to the poor tenants of this district at whose cost this palatial building was built? I think they are entitled to some consideration and so I have taken the advantage of speaking on this motion.

Rai HARENDRANATH CHAUDHURI: I would like to be enlightened on the question of the Khulna-Faridpur diara and char land settlements which has been raised by my friend Babu Nagendra Nath Sen. We do not understand what is the policy of Government in taking over the char lands and making new settlements. So far as my information goes the Government is not consistently pursuing any definite policy. Sometimes the Government take away the char portion of a permanently settled area—of course they are entitled to do it now after the recent judgment of the Privy Council—but without making any revision of the assessment they settle the land with the original proprietors, tenure-holders and tenants not permanently but just for 10 or 15 years. In some other cases the Government re-assess the whole of the diara and char lands and make new settlement after doing away with the intermediate interests. I really do not understand what is the policy of Government in regard to the settlement of char and diara lands. If the Government propose to make new settlements altogether for short terms, to re-assess the whole land and to revise the revenue also then the Government should do away with the intermediate holders. If the Government really want to maintain those who are in possession of these lands then the Government should settle the lands permanently. This is a matter, Sir, in which the Government policy I cannot understand. Therefore I should like to be enlightened on the question as to what is the definite policy of Government underlying the settlement of the char and diara lands.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, if I were to engage Babu Akhil Chandra Datta to defend me in any court I would have to think twice, because I find my friend was not prepared to argue his points; nor perhaps he had read his brief even. He has simply passed on his brief to his junior That is not always desirable. Dr. Bunerjea has advocated the need of Settlement Officers and settlement operations to a certain limit. Then he has all of a sudden turned back and criticised the procedure of the settlement operations, one of them being that the tenants have to travel a long distance to get their rights recorded. I do not think my friend has a correct idea; or perhaps he has got a very vague idea as to how the settlement proceedings are carried on. I would advise him to go to a settlement camp himself and see how things are done there. I am afraid these things are not in the sphere of a professor of economics.

Then Sir, some charges have been levelled against the officers of the Settlement Department as to their indulging in some alleged corrupt practices. But, Sir, up to now I have not had a single categorical charge placed before me. If the members of this House will place any charge which they think is worthy of placing before Government, I will certainly have the matter enquired into and shall certainly

take necessary action in the matter, but making a vague charge of fish and goat as one of the previous speakers has made without any proof is not worth discussing in the House.

Mr. Sen has raised the question of the diara settlement and the extreme unsympathetic attitude of the Settlement Officers. I shall be extremely obliged to him if he will give any definite cases and I shall have them enquired into. Up to now I have not had any such charges brought to my notice against any of the officers in the Settlement Department.

Another point has been raised in connection with the Settlement Officer's house in Khulna which has been handed over to the Irrigation Department. The house was actually built for the Irrigation Department and was temporarily occupied by the Settlement Officer. As long as the house was occupied by that officer the rent for that period was charged to the Khulna Settlement. We have not charged the cost of the building to the Khulna settlement. Therefore the people of Khulna need not be afraid of being burdened with the whole cost of the Khulna Settlement Officer's building.

My friend Rai Harendranath Chaudhuri has raised the question of the policy of Government in regard to the settlement of char and diara lands. In these matters we are guided by the rules which are definitely laid down and we have no power unless they are changed. If he will kindly come and see me in office I shall certainly go through these rules and see if any modification is necessary. Until this is done Government must continue the present policy which they are following. I have nothing further to add.

The motion that the demand of Rs. 21,58,000 under the head "5C.—Survey and Settlement" be reduced by Rs. 100 was then put and lost.

Babu NALINIRANJAN SARKER: I beg to move that the demand of Rs. 39,31,000 under the head "5.—Land Revenue" be reduced by Rs. 2,50,000 (page 23, Civil Estimate).

Sir, the object of my motion for reduction is very simple. My intention is to insist on a policy of an all-round retrenchment being carried out with a view to release certain amounts from each department, so that a sufficient amount may be available to finance schemes for removing the ignorance and poverty of the people through whose votes we have come to this Council. And in that view the amount of reduction proposed by me for the Revenue Department is very moderate, *viz.*, a sum of Rs. 2,50,000. This department like all other departments on the reserved side has been fostered with all the care since the beginning of the British rule. So, a reduction of Rs. 2,50,000 will not affect its efficiency very much and this reduction in an expenditure of about Rs. 39,00,000 cannot be a proposition of insurmountable difficulty,

if the Hon'ble Member and the Secretary will put their minds to it. It is not my intention to embarrass the Hon'ble Member by proposing cuts in definite items, but I leave it to his discretion. I am sure he will recognise the urgent needs of his suffering countrymen and respond readily to their call. There is another reason which may also commend itself to him. The improvement of the economic condition of the people and the removal of their ignorance, for which the amounts so available are intended to be utilised, are sure to bring about a condition of prosperity to the people as a whole, thus eventually strengthening his department also.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia : Sir, the pathetic appeal which my friend Babu Naliniranjan Sarker has made to me almost tempts me to agree to the reduction, but I am very sorry that I cannot oblige my friend because the programme is already made. I may mention that whenever any estimate is made it is first made in the offices of the Director of Land Records and other heads of departments and then it comes to the Secretariat where, if it survives the pruning of Mr. Sachse, it goes on to the Finance Department and if my Hon'ble colleague Mr. Donald is kind enough in passing it then I can get the amount. You do not know with what trouble I have been able to get this amount for my Land Revenue budget. If this amount is reduced by Rs. 2½ lakhs it will be almost impossible for me to get on with the programme. So, I would appeal to my friend not to press his motion and I hope he will agree to that.

The motion of Babu Naliniranjan Sarker was then put and lost.

Khan Bahadur Maulvi EKRAMUL HUQ : I beg to move that the demand of Rs. 39,31,000 under the head "5.—Land Revenue" be reduced by Re. 1 (page 23, Civil Estimate).

3-45 P.M.

This token cut has been proposed to protest against the conduct of the Government in bringing the masses of the country under the clutches of the landed aristocracy. Look at the formation of the cabinet and you will find that the people's men have no place there. Do the Government think that the people of the country have not produced men who could find a place in the cabinet of the land? Do they hold that they have selected all the jewels of the country to form the cabinet? If they do, they should be congratulated on their choice and on their wisdom. I would not have thought of raising my voice against the formation of the cabinet had not this adversely affected the masses of the country. Leaving aside the other three Members who all belong to the landed aristocracy, if we take the case of the Hon'ble Member for Revenue, we find that he also is no better, and as the masses have

been very adversely affected by the Revenue Department, I canno pass this department unnoticed. The House is aware that as soon a the first Reformed Council came into being, I was one of those wh persistently wanted, in the interest of the tenantry, to have th Tenancy Act amended. Be it said to the credit of the Maharaja dhiraja Bahadur of Burdwan that he tried to give effect to the wishes o the Council by taking measures to get the Bengal Tenancy Ac amended. But unfortunately for the people he went out and th present Member came in and with him all the woes of the masses began We insisted again and again in this Council to have the Act amende but our voice was a voice in the wilderness. The white bureaucrac seemed to have left the reign of Government in the hand of the brow bureacracy and they also refused to hear the voice of the people. Thi was not unusual, for the present Government are not for the masse but for the classes only. Some of the Government members might sa that they were hoodwinked to believe that the measure would not hav produced the desired result, but, Sir, this will be a lame excuse fo they should know that those who are called to this Council by th suffrage of the people represent them and their interest and not th Hon'ble Member who could not be so called and is called to the plac by the will or whim of an individual or individuals. The Benga Tenancy Act ought to have been introduced years ago but for th culpable neglect of the Hon'ble Member, and Government is also res ponsible for many wrongs that the tenantry has so long borne and wil have to bear. Government should not only have a Revenue Membe who should be a real representative of the masses but they should see t it that the Member immediately introduces the Bengal Tenancy Ac with all the provisions which may uplift these dumb and half-starve millions. We are told that a small committee is constituted to loo into the matter. I am afraid this committee also largely represent landlords' interests and not the interests of the tenantry. Thei labours when they are before the House will convince the country i they do not convince the Government and some of the members of th House, that due weight was not at all given to the disabilities fro which the tenants suffer, and these have not been removed. Still w want the amended Act to come immediately before the Council, bu this the Hon'ble Member will not do. Good or bad, whatever it migh be, let the amendment be made in the Bengal Tenancy Act and whe and if the tenantry find the unsatisfactory nature of the Act produced they will know how to mend matters further. If the Governmen could become strong and do justice to the people with the help of th true and sincere representatives of the people, well and good, if they d not, let me hope the tenants themselves will know how to become stron and compel others to be just to them and to their cause.

The motion was put and lost.

The motion that a sum of Rs. 39,31,000, as amended in Council, be granted for expenditure under the head "5.—Land Revenue" was then put and a division taken with the following result:—

AYES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syad Maqbul.
Hussain, Maulvi Latafat.
Jones, Mr. P. E.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lahiri, Mr. Basanta Kumar.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Marr, Mr. A.
Mawla, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Moberly, the Hon'ble Mr. A. H.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mahamed.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Shah, Mr. Ghulam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Promotha Nath.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Chakravarti, Babu Jogindra Chandra.
Chakrabortty, Babu Jatindra Nath.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Rai Narendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Ray, Dr. Kumud Sankar.
Roy, Dr. Bidhan Chandra.
Ray, Mr. G. H.
Ray, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 63 and Noes 24 the motion was carried.

7.—Stamps.

4 P.M.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): Sir, I beg to move on the recommendation of His

Excellency the Governor that a sum of Rs. 8,88,000 be granted fo expenditure under the head " 7.—Stamps " (page 44, Civil Estimate)

Khan Sahib Maulvi ABDUS SATTAR : Sir, since I put in thi motion I have got all the information about the details of this demand and I do not, therefore, like to move this motion.

The following motion was therefore not moved:—

Khan Sahib Maulvi ABDUS SATTAR : " That the demand o Rs. 15,200 under the head ' 7.—Stamps—Contract contingencies' b reduced by Rs. 10,000 (page 45, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD moved that the demand o Rs. 34,000 under the head " 7A.—Non-judicial stamps—Superinten dence (Reserved) " be refused (page 45, Civil Estimate).

He spoke in Bengali, the English translation of which is a follows:—

" A motion refusing the demand of expenditure on stamps wa accepted by this House in 1924. My object in moving the presen motion is to protest against the Stamp Act which subjects the poo people to heavy expense in carrying on most necessary and daily transactions of life. Protests have been made against the increase o stamp duty, but Government have not paid heed to them. In thes circumstances I beg to move the present motion."

Babu NAGENDRA NATH SEN : Sir, the question of stamps is a very simple one. Stamps are divided under two heads—judicial an non-judicial. With regard to judicial stamps it appears that Govern ment is making a huge profit, and the corresponding expenses fo affording judicial relief to litigants are very small. Take, fo example, the state of affairs in the 24-Parganas where there is a ver large number of litigations. Take, again, the case of the Khuln district. There were two subordinate judges there but one ha recently been removed to Jessore and the poor litigants at Khuln have to bide their time simply to have their cases on the board, no on knows when. There are cases standing over from the year 1920 o even earlier. This is a state of things which should be remedied Then, Sir, take the case of non-judicial stamps, the value of which wa raised in 1922. Normal times have since returned, but there is n reason assigned by Government why the value of non-judicial stamp should not be reduced now to pre-war rates. The people are poverty stricken, and it is they who have got to purchase non-judicial stamp and for them to pay 50 per cent. in excess of what they used to pa in pre-war time is a great hardship, and this in all conscience shoul

be remedied. Then, Sir, with regard to a cognate matter, I mean the post and telegraph rates. When we go to the Legislative Assembly with a prayer for a reduction of those rates we are met with the objection that these departments are working at a loss. The cost of postage has been doubled while the cost of telegrams has been trebled.

Now, Sir, if Government gains a large surplus by the sale of non-judicial stamps, and there is no reduction in the postage rates, why should there not be any reduction in the rates of non-judicial stamps? The people should have relief in one way or other.

The Hon'ble Mr. J. DONALD: Sir, the members who have just spoken have really raised the question of the whole policy of the Stamp Department, which would more appropriately come under the next motion than under this.

This expenditure is necessary in order to obtain our revenue from stamps, and, therefore, I oppose the motion.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

Srijut TARAKNATH MUKERJEA : Sir, when the Stamp Act was amended and the stamp rates were increased in the year 1922, the then Finance Member, Sir John Kerr, gave an assurance to this House that the increased revenue derived from these increased rates would be set apart for the improvement of the nation-building departments. I should like to know from the Hon'ble the Finance Member what progress has been made in this direction. It is well known to all of us that most of the nation-building departments are still starving: many works of public utility cannot be carried on for want of sufficient funds. So I should like to enquire how much money is derived from this source and what amount has been set apart for the nation-building departments. With these words I beg to move that the demand of Rs. 8,88,000 under the head " 7.—Stamps " be reduced by Re. 1 (page 44, Civil Estimate).

Dr. PRAMATHANATH BANERJEA: I have no desire to participate in this discussion, but I wish to ask a question of the Hon'ble the Finance Member. The question is how is the stamp revenue of Bengal likely to be affected by the decision of the Central Government to abolish certain commercial stamps?

The Hon'ble Mr. J. DONALD: As regards the point raised by Dr. Banerjea, I am afraid he has not read the memorandum which I presented to the Council on Monday last. We shall lose about two lakhs and a half.

Dr. PRAMATHANATH BANERJEA: Was the.....

Mr. PRESIDENT: Are you going to ask any question, Dr. Banerjea If so, you should not do so till your name is called by me. You ca now ask your question.

Dr. PRAMATHANATH BANERJEA: Was the Bengal Govern ment consulted in the matter?

The Hon'ble Mr. J. DONALD: We were consulted in the matter as t whether cheques should be free, free from stamp duty, and we expresse our opinion on that question. We were not consulted again before th decision was announced, with reference to its effect on our financia position.

As regards the other point raised by Babu Taraknath Mukerjea, am afraid that the time at my disposal will not permit me to deal wit the whole question of stamps in order that I might give him the figure showing exactly how much of the excess revenue from stamps has bee given to the transferred subjects. This is indeed difficult if no impossible. But it will be remembered that we have made a consi derable increase in the expenditure on the transferred side in nex year's budget, while at the same time, there is a very big drop in ou anticipated income from stamps.

The motion of Srijut Taraknath Mukerjea was then put and lost.

The motion that a sum of Rs. 8,88,000 be granted for expenditur under the head "7—Stamps" (page 44, Civil Estimate) was then pu and agreed to.

[At 4-15 P.M. the Council was adjourned and it reassembled a 4-25 P.M.]

8 and 8A—Forests.

MEMBER in charge of DEPARTMENT of REVENUE (FORESTS) (The Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 11,43,000 be granted for expenditure under the heads "8—Forests" and "8A—Forest capital outlay charged to Revenue" (pages 46 and 49, Civil Estimate).

It will simplify discussion if I explain briefly the organisation of the Forest Department. This department brings us a large revenue

every year, which, after deducting the expenses, is utilised for expenditure in other branches of the administration—both Reserved and Transferred. This net income—even after taking into account the *whole* of the capital outlay—has been about Rs. 12½ lakhs every year, and we expect it to increase to over Rs. 14 lakhs in the ensuing year. There are immense possibilities of forest exploitation in the Province, and the more this department has scope to extend its activities the greater will be the income.

Now in all works of forest exploitation, the first stage is to prepare what is called a working plan, which consists of marking out a given area of forest into blocks, enumerating the existing trees and then laying out a programme—usually of 10 to 15 years—of felling and planting. Roads and pathways have next to be opened out and quarters provided for the officers and staff to live in. To refuse provision for outlay on such works will mean foregoing a handsome revenue to the Provincial exchequer, and stopping further expansion of Forest work. I trust the Council will refuse to accept such a suicidal policy.

The other motions of which notices have been received relate to the recurring charges for the maintenance of these works and for the establishment. There is probably a misapprehension as regards the former. Apart from the fact—that as Capital works increase, the running cost must also increase—the increase over the current year's budget grant under Conservancy and Works is almost entirely due to a provision of Rs. 72,000 for *khedda* operations to catch elephants in the Chittagong and Buxa Divisions. These operations are highly remunerative and at least an equal amount of net income is expected.

As for establishment there is no proposal to increase the officers and subordinate staff already employed. The only new proposal is a very modest one, *viz.*, to increase the pay of the Deputy Rangers, from Rs. 40, 45 and 50 to Rs. 45, 50 and 55 and to have a grade of Foresters on Rs. 40. Considering the responsibilities of these officers and the difficulties and discomfort in which they have to work, the Council will, it is hoped, accept this proposal whole-heartedly. The rest of the increase is due to the normal time-scale of pay of the establishment. The area of Reserved and Protected Forests increased in 1925-26 by 115 square miles, and 6 miles of new cart-road and 21 miles of foot-paths have been opened. The maintenance of the old military road from Kurseong to Ghum has also been taken over by the Forest Department. It should be a matter for the satisfaction of the Council that the Department is endeavouring to manage these additional works without further increase in the establishment.

Rai HARENDRANATH CHAUDHURI: I beg to move that the demand of Rs. 4,80,000 under the head "8A—Forests—Conservancy and Works" be reduced by Rs. 60,000 (page 46, Civil Estimate).

Sir, so far as I am concerned I can say that there is no misapprehension on my part as regards the scope of the expenditure of the budget item to which this motion relates. Government in the next year proposes to spend as much as Rs. 72,000 for *khedda* operations, that is, for catching elephants, as the Nawab Bahadur has said. But, Sir, we find on a reference to the Financial Statement, page 25, that so far as the current year is concerned there was no *khedda* operation and no utilisation of the provision for such operations "for want of suitable *kunkis*." Therefore it is apparent that Government did not spend any large sum at all at any rate for *khedda* operations yet in spite of it the Government earned or expects to earn a larger revenue under the head "Forests". On revised estimate Government expects a revenue of Rs. 29,75,000 as against the Budget Estimate of Rs. 27,00,000 (I refer to page 7 of the Financial Statement). Therefore Government expects better revenue to the extent of about Rs. 3,00,000 without spending any large amount for *khedda* operations this year. That fact stands. But Government proposes to spend, as I have said before, Rs. 72,000 for *khedda* operations next year. Does the Government expect any very big yield of revenue for such expenditure? Certainly not. The Hon'ble Member-in-charge says, yes, but I say, no. On a reference to the Financial Statement it will be seen that Government does not expect much larger revenue on this head at any rate a big return commensurate with such expenditure. It will be found on a reference to page 7 of the Financial Statement that Government expects better revenue to the extent of about Rs. 32,00,000 instead of 30,00,000 on the whole, that is, about two lakhs more under the head "Forests", and of this about Rs. 1½ lakhs is expected under the head of "Timber and other produce removed from the forests by consumers or purchasers", that is Rs. 1½ lakhs of the anticipated Rs. 2 lakhs is expected from operations of non-Governmental agency. The Retrenchment Committee was quite alive to this fact and observed that "when purchasers or lessees are working a forest and extracting the produce the expenditure is far smaller than when this is done by departmental agency. Departmental work if properly done, yields a high profit but not a larger percentage of profit in proportion to expenditure". The Retrenchment Committee therefore urged on the Government that they should encourage non-Governmental work more than undertaking such Governmental operations. Although I do not wholly agree with that portion of the recommendation of the Retrenchment Committee yet I see the point and that point is proved by the Budget statement of expected receipts under the head "Forests" in the coming year.

I therefore submit that no case has been made out for spending so large a sum as Rs. 72,000 for *khedda* operations and, as I have said, it will be remembered that even without *khedda* operations Government gets better revenue to the extent of Rs. 3 lakhs this year. I propose that the demand under this head should be reduced by Rs. 60,000.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, the reason for catching elephants in Cox's Bazar is that the elephants are doing great damage to rice crops. The people have reason for serious complaint.

Rai HARENDRANATH CHAUDHURI: Do I understand it is just to save the agriculturists that the *khedda* operations are going to be undertaken, and not for getting any revenue?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: For both.

The motion of Rai Harendranath Chaudhuri was then put and lost.

Rai HARENDRANATH CHAUDHURI: I move that the demand of Rs. 16,000 under the head "8B.—B—Establishment (cost of training of probationers in England)" be refused (page 48, Civil Estimate)

Sir, my object in moving this motion is to get information as to who are the probationers who are going to be trained in England for which the expenditure is going to be incurred.

Mr. PRESIDENT: Do you move your motion?

Rai HARENDRANATH CHAUDHURI: I move my motion but before I press it I should like to have this information.

Mr. F. A. SACHSE: Rupees 16,000 has been provided in the budget for the training of one Indian probationer in England who has already undergone the course of technical training in England preliminary to appointment to the Indian Forest Service under the old rules. Under the new arrangement future recruits to the Imperial Forest Service will be trained in Dehra Dun.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The Government of India frame the rules for recruitment of the Imperial Forest Service. For the last three years Bengal has only received Indian recruits with one exception.

Rai HARENDRANATH CHAUDHURI: May I ask the names of the probationers?

Mr. F. A. SACHSE: The name of the particular probationer who is coming to Bengal is not known yet, but this Rs. 16,000 is required for the training of one probationer only.

Mr. PRESIDENT: I am afraid, Mr. Sashse, you have forgotten the name. You can answer Mr. Rai Chaudhuri's question later on if you cannot do so off hand.

Rai HARENDRANATH CHAUDHURI: I would have been satisfied with that but not with this imperfect answer.

The motion of Rai Harendranath Chaudhuri was then put and lost.

Khan Sahib Maulvi ABDUS SATTAR: I move that the demand of Rs. 4,41,000 under the head "8B.—B—Establishments" be reduced by Rs. 39,000 (page 47, Civil Estimate).

Sir, with regard to this amendment of mine I beg to state the reason why I have put this motion. I find in various departments large sums of money have been shown as coming under temporary establishment. It is not known how those amounts will be spent. My idea has been that money has been so blocked up. Therefore if I can hear from the Hon'ble Member in what way this amount will be spent then I may not press my motion.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, the reasons which led to the increase in the current year will continue in the ensuing year. They were—

(1) increase in the number of Rangers and Deputy Rangers owing to expansion of forest exploitation work, and

(2) provision for the Attia Forests newly taken over under Government management at the request of the proprietors.

The cost on account of the latter will be eventually recovered.

The area of Reserved and Protected Forests increased in 1924-26 by 115 square miles, and to facilitate exploitation and transport 6 miles of new cart road and 21 miles of foot-paths were opened during that year, and also 6 bridges were built. These expansions necessarily mean additional establishment. They are directly remunerative. The revenue in 1925-26 was Rs. 28¼ lakhs, and in the current year it is expected to reach about Rs. 29¾ lakhs. For the ensuing year the receipts are estimated at about Rs. 32 lakhs. The Forest Department can very rightly claim that any increase in expenditure on expansion of their activities is more than justified by increased receipts. Government must therefore oppose any proposal which involves reduction of the present establishment. There is no increase in the demand under "Pay of superior officers"; nor is it proposed to increase further the subordinate staff. The only new proposal is a very modest increase in the pay of the Deputy Rangers from Rs. 40, 45 and 50 to Rs. 45, 50 and 55, and

to have a new grade of Foresters on Rs. 40. Considering the responsibilities of these officers, and the difficulties and discomfort in which they have to work, the Council, it is hoped, will accept this proposal wholeheartedly.

The motion of Khan Sahib Maulvi Abdus Sattar was then put and lost.

4-45 P.M.

Rai HARENDRANATH CHAUDHURI: I beg to move that the demand of Rs. 4,41,000 under the head "8B.—B—Establishments" be reduced by Re. 1 (page 47, Civil Estimate).

Sir, it is not to urge directly any reduction in the Forest Budget that I am moving this motion. On the contrary it is to urge the question of the Indianisation of the Forest Service that I am going to move it. In 1923 a similar question was raised in this Council when my friend Mr. Indu Bhusan Dutt moved a motion urging that the Indianisation of the Forest Service should be accelerated. In reply, the then Hon'ble Member in charge of the Department, the Hon'ble the Maharajadhiraja Bahadur of Burdwan, was pleased to say and say twice that the point had been noted and held out the hope that the Indianisation of the Forest Service would be accelerated. Thereafter the Lee Commission took this question also into consideration, and in their survey of the position with regard to this question they also noted that according to the system of recruitment as it then obtained, at least since 1921, the rule was that at least 40 per cent. of the total number of officers in the superior grade should be directly recruited from amongst the Indians and in addition 12½ per cent. of the cadre should be filled by promotion from the provincial ranks. If that was really the policy which was followed since 1921, we cannot understand how is it that of the 20 posts of Deputy and Assistant Conservators of Forests, in the superior grade only 6 appointments are now held by Indians. The report of the Lee Commission was published in March 1924. Therein they recommended that a further step should be taken in the matter of the Indianisation of this branch of the public service. Let me quote from page 21 of the report: "Taking all the factors before us into consideration we recommend that the recruitment should henceforward be in the ratio of 75 per cent. Indians and 25 per cent. Europeans in those provinces in which the Forest Service is reserved." That was the recommendation made three years back—it was made in March 1924. Since then three years have elapsed, and I want to know what positive steps have been taken by Government in the matter, *viz.*, to accelerate the Indianisation of the Forest Service, for certainly we cannot be satisfied with the position in which only 6 out of 20 officers in the superior grade are Indians just at the present moment; and in that view I propose a reduction of Re. 1 from this demand.

Babu NAGENDRA NATH SEN: Sir, I beg to take the opportunity of speaking out my mind. We find at page 47 of the Budget Estimates that out of a total grant of Rs. 8,01,000, Rs. 3,60,000 is non-voted. This proves the utter want of utility of having the Councils.

As regards the Indianisation of the Forest Service, my friend, Rai Harendranath Chaudhuri, has given this House all the facts and figures which should be an eye-opener to every one. Then I submit that as in the Forest Service only 6 out of 20 are Indians, so much as Rs. 3,60,000 should not have been stated as "non-voted".

Then, as regards other items, deputation and special allowance, Rs. 31,000 is voted. Now, Sir, I fail to see how an enormous sum of Rs. 31,000 would be needed for deputing officers to study matters of forestry in foreign countries. I come from the Sunderbans in the Khulna district. I want the members of this House to know the rigours with which the forest regulations are exercised in that part of the country. Hon'ble members all know that in 1919 there was a severe cyclone which devastated Khulna, Dacca, Barisal, Faridpur, specially the major portion of the lower provinces of Bengal. After repeated applications to the Government there was an order that the raiyats and other people might get *golpata* from the Sunderbans at a nominal price. That simply did not put an end to their hardships. The Forest Officers are a body of ill-paid men. They are cut off from the ordinary communications from the main land. They are located in places where there are no railway or steamer communications, no telegraphic or postal arrangements. I can cite instances of their hardships by telling the members of this House that some places in the Sunderbans of the Khulna district are situated at 3 or 4 days journey from the nearest post office. Such is the state of things there that an ordinary letter takes more than 3 or 4 days to reach.

Then, there are hardships to which shikaris are put to by the Forest Officers. If a shikari kills a tiger, he cannot take the skin. The superior or the subordinate Forest Officer gets it. I would ask the Hon'ble Member in charge to make a personal enquiry into it and satisfy himself as to the number of skins which adorn the houses of the officers of the Forest Department who are working in the Khulna Sunderbans and I can give personal evidence of this.

Now, as to the shooting of deer and such other animals, a permit is granted very rarely and upon very strict terms. A shikari is not permitted to shoot more than one or two deer in a single trip. My friend Maulvi Shamsur Rahman says not more than one deer per trip is allowed to be killed.

Then, Sir, there are very rigorous forest laws as regards the cutting of fuel and timber. Fuel has become very dear now-a-days owing to the rigorous operations of the forest laws and the unsympathetic treatment

by the Forest Officers; fuel has become a rare thing, especially in the Sunderbans forest of the Khulna district, Barisal and the 24-Parganas. I would therefore ask the Hon'ble Member in charge of the Forest Department to instruct the Forest Officers to work the forest laws more sympathetically inasmuch as the illiterate and the poor raiyats have got to go to the Sunderbans even at the risk of their lives in order to collect fuel and timber which adds to the Government revenue.

Maulvi SHAMSUR RAHMAN: I rise to question the way in which the officers of the Forest Department issue permits to gentlemen desirous of going to shoot in the Sunderbans forest. Those gentlemen who are desirous of going into the reserved forests for the purpose of shooting are granted permits on payment of a license fee of Rs. 20 for a term of six months from November to April. In the permit the gentlemen are permitted to shoot only one deer per trip. This seems to me to be simply absurd. A gentleman going from Calcutta to the Sunderbans for the purpose of shooting has to undergo enormous cost but is not allowed to shoot more than one deer per trip. I think this state of affairs should be remedied and the limitation reasonably extended.

Next, the permit fees for taking out forest produce has been abnormally increased. When there is a failure of crops poorer people of the neighbourhood take to wood-cutting as a subsidiary profession to save them from starvation, but the prohibitory fees stand in their way. When there is a failure of crops they can ill-afford to meet the cost for the permit. The people of the town is also adversely affected inasmuch as the price of fuel has been enhanced two-fold. So it seems to me that Government should lower the rate of permit fees to save the poorer people from starvation, specially when there is a large surplus in this department.

Babu AKHIL CHANDRA DATTA: Mr. President, the motion before the House involves the Indianisation of one particular service, but it is, in fact, connected with the larger question namely, the Indianisation of the services and of the administration in all departments of Government. We are told in the Preamble to the Government of India Act: "Whereas it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of the Indian administration," and so on. Now, Sir, the question that I would ask is—is the Government loyally carrying out that policy laid down in the Government of India Act? It is said that we, the Swarajists, are the wreckers of the constitution. The question is that here we insist upon increasing the association of Indians, increasing the Indianisation of the service; and it is the Government that opposes that policy. If they do not oppose the policy in profession, in actual practice they oppose it. The question, therefore, arises—who are the wreckers of the constitution—we, the much maligned Swarajists, or

those who are responsible for the administration of the Government of India Act: Now, it is said that we ought to co-operate, and in order to enable us to co-operate, here we are offering the services of Indians in this department—and that co-operation is refused. Does co-operation only mean giving our votes for the Ministers' salaries? The question is—why are Indians not taken into this department. Is it because there are no competent men available among Indians—is that the real reason? I, for one, am not prepared to admit it. I know that Indians are as much competent as Europeans and I shall not overstate my case and I shall put it very modestly if I say the average Indian or the average Bengalee is certainly not less competent than the average Englishman. Or is it because Indians are the children of the soil, they should not, as a matter of principle, be taken into the service of the country? India is a country where it is a great disqualification to be an Indian—that is the greatest disqualification of an Indian. It is a matter of common knowledge that those who are for the time being in power, oppose this policy. The charge that I would bring against the administrators in this connection is that of extreme selfishness on their part for their own kith and kin, in preference to the children of the soil, whose administration they have taken upon themselves. The term "government by law established in this country" is a great fiction.

5 P.M.

Khan Bahadur Maulvi EKRAMUL HUQ: I rise to support the motion. The demand that has been made by the hon'ble mover seems to be quite modest. He says that the percentage of Indians in the higher services of the Forest Department should be increased to 75 per cent. I do not think there can be any one in the House who can oppose such a motion as it has been put before the House. I would like, Sir, to draw the attention of Government to one particular fact, *i.e.*, the number of appointments held by the Muhammadans in the higher services. I am told that there is not a single Muhammadan in the whole service. Why is this the case? It is up to Government to see that an adequate number of Muhammadans are taken in and I am particularly in favour of increasing the number because we know that it is necessary that the Indians should have a larger share in the administration of the country be they Hindus or Muhammadans and in cases where Muhammadan candidates are forthcoming they should also have their proper share in the administration of this department. I hope, Sir, that all the members of the House will agree to the proposition that the Indians should be taken in in larger number in the Forest Department.

Dr. PRAMATHANATH BANERJEA: I am sorry I am unable to agree with my hon'ble friend, Babu Akhil Chandra Datta. He says

that the policy of the Government of India which is to secure an increasing association of Indians in all the departments of administration has not been maintained.

Babu AKHIL CHANDRA DATTA: On a point of personal explanation. I did not say the policy of the Government of India—I wish I could have said that—what I said was the policy of the Government of India Act.

Dr. PRAMATHANATH BANERJEA: I stand corrected. The policy of Parliament is to increase the association of Indians in this branch of administration as well as in the other branches. I think this policy has been fully maintained. If we look at the figures, we find that the establishment charges are increasing every year, and in the coming year the establishment charges will show a further increase. How can this increased expenditure be incurred without employing a larger number of Indians? Well, in the coming year a larger number of coolies will have to be employed to collect the forest produce, and that will surely satisfy the provisions of the Government of India Act. I think my friend is wrong in holding the view he has expressed.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, the Government of India frame rules for the recruitment of officers in the Imperial Forest Service and there is no dearth of Muhammadan officers in that service. I can show from the Civil List that from 1923 to the present day out of 6 appointments only one was given to a European and the rest to Indians. I can read out the names—

Mr. Sukumar Chaudhuri.

Mr. Robert Ian Macalpine.

Mr. Niranjan Pal.

Mr. Salahuddin Ahmed Yusuf.

Mr. Mushtaq Ahmed.

Mr. Jogendra Chandra Nath.

In the Provincial Service all the officers are of Indian domicile. Therefore that objection cannot be maintained. There are two classes of forests—reserved and protected. The latter are managed by the Collectors and in these people can get fuel very cheaply. So, I do not think any objection can be maintained.

The motion that the demand of Rs. 4,41,000 under the head "8B—B-Establishment" be reduced by Re. 1 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ali, Maulvi Syed Nausher.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Mr. P. C.
Biswas, Maulvi Abdul Latif.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Sefran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Huq, Khan Bahadur Maulvi Ekramul.
Khan, Babu Debendra Lal.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mukerjea, Srijut Taraknath.
Rahman, Maulvi Shamsur-.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
Da, Mr. K. C.
Dey, Mr. S. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. S.
Gutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
James, Mr. F. E.
Jennaway, Mr. J. N.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. M. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trever J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. P. A.
Sarker, Rai Sahib Rebati Mohan.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 33 and the Noes 46, the motion was lost.

Mr. P. C. BASU: May I ask for a ruling, Sir? Rai Jadunath Mazumdar Bahadur who has himself tabled a cut by Re. 1, I am told, has gone into the "Noes" lobby and voted with Government. Is he entitled to do that?

Mr. PRESIDENT: I think he can vote in any way he likes.

The motion that a sum of Rs. 11,43,000 be granted for expenditure under the heads "8.—Forests" and "8A.—Forest—Capital outlay charged to Revenue" (pages 46 and 49, Civil Estimate) was then put and a division taken with the following result:—

AYES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Ismail, Khan Bahadur Maulvi Muhammad.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Khan Sahib Maulvi Muazzam Ali.
Labiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. G.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarkar, Rai Sahib Rebati Mahan.
Sattar, Khan Sahib Maulvi Abdus.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Mr. P. C.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Abhil Chandra.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jagesh Chandra.
Haque, Kazi Emdadul.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Tarakanath.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Sarkar, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 59 and the Noes 22 the motion was carried.

The time-limit under the head "8 and 8A.—Forests" having been reached, the following motions were not put:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 9,29,000 under the head '8.—Forest (Reserved)' be refused (page 46, Civil Estimate)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 9,29,000 under the head '8.—Forest (Reserved)' be reduced by Rs. 100 (page 46, Civil Estimate)."

Rai Bahadur JADUNATH MAZUMDAR: "That the demand of Rs. 9,29,000 in respect of 'Forests' be reduced by Re. 1 (page 46, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,14,000 under the head '8A.—Forest—Capital outlay charged to Revenue (Reserved)' be refused (page 49, Civil Estimate)."

9A.—Scheduled Taxes.

5-15 P.M.

SECRETARY to GOVERNMENT, FINANCE DEPARTMENT (Mr. J. A. Woodhead): In the absence of the Hon'ble Mr. Donald, may I have your permission, Sir, to move the motion standing in his name?

Mr. PRESIDENT: Yes, you have my permission.

Mr. J. A. WOODHEAD: With the concurrence of His Excellency the Governor I beg to move that a sum of Rs. 15,000 be granted for expenditure under the head "9A.—Scheduled Taxes" (page 54, Civil Estimate).

The motion was put and agreed to.

XIII, 15, 16 and 55.—Irrigation.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I beg to move that a sum of Rs. 51,38,000 be granted for expenditure under the heads "XIII.—Irrigation—Working expenses", "15.—Other Revenue Expenditure financed from Ordinary Revenue", "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works charged to Revenue" and "55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue" (pages 56-59, Civil Estimate).

The construction of works connected with the flushing of the Gobra Nala in Murshidabad and Bhairab in the Meherpur subdivision of the Nadia district, was commenced during the current year and work will be pushed on next year and completed in the following year. It is also hoped that the new Dhutkhali sluice will be completed ready for the monsoon of 1928.

The construction of the Damodar Canal was commenced during the current year and the grant has been spent on preliminaries such as land acquisition and a broad-gauge siding to the head works for conveyance of the large quantity of material for the weir across the Damodar; next year progress will be rapid and Rs. 17 lakhs have been entered in the estimate; this canal, which will cost Rs. 78 lakhs, will irrigate about 1,75,000 acres of new area in the Burdwan and Hooghly districts and will ensure the water-supply to the Eden Canal. It is also proposed to commence the construction of the Bakreswar irrigation scheme in the Birbhum district next year; the cost of the scheme, Rs. 4,90,000, will be charged to loan funds and the area which will be irrigated will be 10,000 acres.

It will be seen that with the exception of the last named project, the policy of the department next year will be to push on those works which have been begun, so as to make way for other projects which are under consideration.

As the work of the department is increasing rapidly due to demands for an extension of irrigation, improving sanitation and the resuscitation of moribund rivers and streams, it is necessary to increase the staff and also the executive and subdivisional posts; with this end in view it is proposed to open a new division at Bankura to deal with a large number of irrigation schemes in the Midnapore, Bankura and Birbhum districts.

Mr. PRESIDENT: Although one or two minutes are still left for discussion I do not propose to go further to-night. I adjourn the Council till 2-30 P.M., to-morrow, the 16th March, 1927.

Dr. J. M. DAS GUPTA: May I enquire what has become of our petition for closing the Council to-morrow, the 16th, on account of the Municipal election in Calcutta?

Mr. PRESIDENT: Your petition has been forwarded to His Excellency the Governor and I have not received any reply as yet. I must, therefore, adjourn the Council till to-morrow, the 16th.

Adjournment.

The Council was then adjourned till 2-30 P.M., at the Town Hall, Calcutta, on Wednesday, the 16th March, 1927.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 16th March, 1927, at 2·30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 101 nominated and elected members.

GOVERNMENT BUSINESS.

Demands for grants.

XIII, 15, 16, and 55.—Irrigation.

Mr. JOGESH CHANDRA GUPTA: Sir, I beg to move that the demand of Rs. 81,000 under the head "15.—Irrigation—Other Revenue Expenditure financed from Ordinary Revenue (Reserved)—A.—Irrigation Works" be reduced by Re. 1 (page 56, Civil Estimate).

Sir, I think I can safely presume that the members within this House are fully aware of the miserable condition of the rivers and waterways in Bengal and that there are various water-logged areas which ought to be drained properly if the agriculturists are not to suffer from almost chronic floods and famine. But yet this department, which as we have it from a recent statement by the Secretary of the Irrigation Department before the Agriculture Commission, mainly maintains an establishment, and has no scheme of its own. I think that statement is a sufficient condemnation, and, therefore, a motion for a rupee cut ought to be carried in this House only upon that statement. If we look at the Budget Statement we find—I must confess that it is very difficult to gather what is exactly the expenditure on the head "Establishment" because the Statement shows that it is apportioned under different heads according to the expenses incurred on them—that about Rs. 7 lakhs is taken up for establishment only, and, if after spending Rs. 7 lakhs on establishment there is no scheme of this department, we do not know really what to say. We further find that apart from establishment expenses the other expenses mainly come under the head "Dredging". A very considerable amount has been

spent already in the purchase of dredgers, and I was, therefore, wondering if we could possibly find any subsidy to this department by steamship companies because these dredgers by keeping open the navigable channels really help the steamship companies much more than they help the poor cultivators, whose interests, I submit, should be the first and primary concern of the Government to look after. The Government are the self-appointed trustees of the poor agriculturists, as we are often told, and it is their solicitude for the poor agriculturists that prevent them from yielding to many popular demands, as we know.....

SECRETARY to GOVERNMENT, IRRIGATION DEPARTMENT (Mr. C. Addams-Williams): On a point of order, Sir, I should like to say that the grant under discussion relates to the Eden Canal; there are no dredgers on the Eden Canal at all. I submit that the member is out of order.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): Mr. Gupta, after the statement which has just been made you should not refer to that.

Mr. JOGESH CHANDRA GUPTA: I took this question up under "Navigation" as I was not quite sure which of the two motions, *viz.*, 153 and 157, standing against my name would be relevant. I really sent in a motion to the effect that I should speak under the head "Irrigation", the sub-heads being "Navigation and Drainage" and "Embankment". I find that motion has been split up into two. I submit that I shall be quite relevant to take it under the head "Navigation and Drainage".

Mr. C. ADDAMS-WILLIAMS: It is a different head.

Mr. PRESIDENT: I think, Mr. Gupta, that you had better leave out points of which you are not sure.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I find from the list of motions that out of the several motions put forth as many as 12 or 13 are all token cuts, and.....

Mr. PRESIDENT: I have already decided not to take them together. Go on Mr. Gupta and confine yourself to Irrigation.

Mr. JOGESH CHANDRA GUPTA: I bow to your decision, Sir, and I shall confine myself to "Irrigation" mainly. We know that so far back as 1920 an Act called the Agricultural and Sanitary Improvement Act was passed and really.....

Mr. C. ADDAMS-WILLIAMS: That Act has nothing to do with irrigation.

Mr. JOGESH CHANDRA GUPTA: I do not see what really comes under the head of "Irrigation". I wanted to find that out. I find that under "Irrigation" all these heads of navigation, embankments, and drainage, are included. So, I conclude that "Irrigation" must include all these items. May I ask the Government member, then what really comes under this head, because this head has been split up by the Legislative Department. I would first like to know this.

Mr. C. ADDAMS-WILLIAMS: The Eden Canal only.

The Hon'ble Mr. J. DONALD: May I suggest, Sir, that Mr. Gupta might now withdraw this motion as he will have an opportunity of raising his point while moving motion No. 157?

Mr. PRESIDENT: Mr. Gupta, would you like to go on? I should like to know if you have changed your mind after hearing the Government Member?

Mr. JOGESH CHANDRA GUPTA: This motion has been split up by the Legislative Department, so I really do not know under which head it comes. I could not also find out from the Budget Statement what the distinct heads are. I have already made that confession. If it only refers to canals, then I have got something to say on it also. I suppose that the Dolai khal of Dacca comes under it.

Mr. C. ADDAMS-WILLIAMS: No, Sir.

Mr. JOGESH CHANDRA GUPTA: May I then know if there is anything which comes under the head "Irrigation" except the word "irrigation", and then I shall know whether to speak at all or sit down.

I suppose then that in the Irrigation budget the only thing that comes under it is maintenance of establishment and nothing else. So I ought not to speak any thing except that it maintain an establishment. The other things are "Maintenance and Repairs", "Tools and Plant", "Suspense recoveries on Revenue Account": these are all which come under this head. I submit that we certainly do not want to maintain an establishment at such a cost, and I formally move this motion.

Mr. C. ADDAMS-WILLIAMS: Sir, there is nothing really to reply to. A perusal of the budget figures will show that only Rs. 13 lakhs of the whole budget is for establishment as against the total proposed expenditure for next year of about Rs. 51 lakhs. I oppose this motion.

The motion of Mr. Jogesh Chandra Gupta was then put and lost.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 95,000 under the head '15 A.—Irrigation Works' be reduced by Re. 1 (page 56, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: Sir, I beg to move that the demand of Rs. 5,84,000 for maintenance and repairs under the head "15B.—Navigation, Embankment and Drainage Works" be reduced by Re. 1 (page 32, Budget).

Sir, thanks are no doubt due to the Government for presenting the Irrigation budget nowadays with greater details than before. But, although those details go a great way to make the Irrigation budget intelligible, yet they are insufficient to explain the whole scheme and scope of the Irrigation budget and certainly they do not throw light on all the various items of the Irrigation budget.

2-45 P.M.

That is the reason, Sir, why the previous speaker was landed in difficulty and that is also the source of the difficulty not only of the new members but also of some of the old members too. I would therefore suggest that the Irrigation budget should be presented with fuller details in future so that members of the Council may understand all the various items of the demands for grants.

Now coming to the motion under discussion I have two objects in view in moving this motion, namely, first of all to have a difficulty which I have experienced removed and in the next place to know what reduction has been made in the length of the embankments which the Government or rather the Irrigation Department maintains.

In raising these points, Sir, I think I am within the scope of this demand. The necessity of the demand has been explained in the following observation in the Financial Statement:—

"The increase in the revised estimate is due to heavier expenditure than originally anticipated on repairs of the Taccavi Embankments in Midnapore. The estimate for the ensuing year has been fixed at Rs. 7,29,000 in view of the extensive repairs necessary to the Government and Taccavi Embankments."

Now, Sir, my first difficulty is how to reconcile the two figures, one given in the Financial Statement and the other in the details. In the Financial Statement on page 32 we find that under this head i

the two sub-heads "15 A" and "15 B" Rs. 6,90,000 under "15 B" and Rs. 39,000 under "15 A" have been budgeted for maintenance and repairs. These two items make up a total of Rs. 7,29,000, whereas in the detailed statement (I refer to page 11) total maintenance and repairs charges have been estimated at Rs. 6,06,000. I find some difficulty in reconciling these two figures.

My next object in moving this motion is to know what steps have been taken by the Government to reduce the embankment charges—the charges for the maintenance and repairs of the Government and Taccavi Embankments. Sir, the Retrenchment Committee on a review of the working of the Irrigation Department recommended (I refer to page 17 of the Report) that the question of the maintenance from provincial revenues of about 1,000 miles of embankments may be considered. "We understand that in some instances" the Committee further observed, "landlords have been relieved of the liability in this matter and substantial additional charges to their estates." Although the Government have dissented from the latter part of this recommendation, yet so far as the principal recommendations are concerned the Government in their decisions on the Report of the Retrenchment Committee observed that "they whole-heartedly accepted the recommendations of the Committee and the matter is under investigation by a special officer. The final report from the special officer is awaited and saving cannot be estimated except as mentioned in paragraph 45", that is, in 1923, the matter was under investigation. But till now we do not know what steps have been taken by the Government to reduce the charges under this head. On the contrary we find that in this budget the Government is providing more money for the maintenance and repairs of the Government and Taccavi Embankments in the next year.

I should therefore like to know what are the reasons which have led the Government to budget a larger amount of money next year and what steps have been taken to reduce expenditure under this head.

Maulvi SYED MAQBUL HUSAIN: I support this motion on account of the policy of Government in unequal distribution of these irrigation embankments and drainage works in all the districts. My suggestion to the Government is that there should be investigation of all the drainage works, district by district, and a scheme should be taken in hand by the Government. I know in Chittagong there are many drainage schemes which are lying dormant for want of funds. As for instance there is the Chaktai khal which runs into the town. It is going to be silted up and we do not know whether it is to be drained and when. There is a large tract of land in Phatikchari called the Cilonia Beel which is always under water. We have been seeing

this state of things for many years and no steps have yet been taken to drain out that tract of land and the result is that the neighbouring places have become hot-beds of malaria and other diseases. Water-hyacinth is also growing there. There is another khal, called the Dhurrangh khal, which was originally a natural khal, but which has become silted up and the lands on both sides are lying fallow and nothing grows there. These ought to be investigated by Government and the drainage work of some of them should be taken up now. So my suggestion is that in future the Government should investigate district by district all the drainage schemes and should take in hand those schemes which are very urgent and necessary instead of only taking up the irrigation and drainage schemes in one part of the province. With these words I beg to support the motion.

Babu JOGINDRA CHANDRA CHAKRAVARTI: Sir, this matter is rather of a technical nature and so far as I am concerned I have not been able to follow all the recommendations that have been made in the budget. There is one point, however, which I have failed to discover in this budget and I shall be very glad if the Hon'ble Member in charge of the Irrigation Department will explain this point. The point I want to refer to is as to what steps have been taken or are proposed to be taken in connection with the recommendations that were made by Dr. Bentley in his report on malaria and agriculture. I hope members will remember that some time ago a resolution was passed in this House to the effect that there should be a survey of the waterways in Bengal. I fail to discover as to whether in the present year any provision has been made for any steps for such a survey. There can be no doubt that the question of waterways and water channels and rivers in Bengal is a very serious one and Dr. Bentley has dealt with this point very elaborately in his able report on malaria and agriculture. As regards the recommendations there is only one sentence in his report to which I would draw the attention of the House. He says: "Irrigation must be the watchword of Bengal rather than drainage". He has established very satisfactorily the connection between agriculture and malaria and that both depend upon a careful survey of the rivers and water channels of Bengal.

Speaking of North Bengal, I may mention several rivers which are almost dying and it is a long established fact beyond any doubt that these dying rivers have very intimate connection with what is called the dying race. Therefore, when we hear such big schemes regarding drainage, irrigation and embankments, I think it will be very interesting for the members of this House to know as to what steps Government is proposing seriously to take with regard to the re-excavation of these dying waterways and channels. With these words I support the motion.

Babu NAGENDRA NATH SEN: Sir, I should lay before the members of the House what the Government has been doing all these years. I would take up one portion of the province lying between Bhagirathi on the one side and Padma on the other and which is called the *Samatal* and which corresponds more or less with the Presidency Division. First of all I shall take the river Gorai. It is well known that the Eastern Bengal Railway has constructed a bridge over this river near Kushtea. This river supplies sweet water to the other rivers in the Presidency Division. When this bridge was constructed there was no sufficient margin for the entrance of sweet water into the other rivers. Take the case of Ichamati and Bhairab. These rivers were formerly sweet water rivers. Readers of Babu Satish Chandra Mitter's History of Jessore know very well that in former times no rivers of Khulna and Barisal were saline. The tract of the country which is watered by the rivers Bhagirathi, Ichamati, Megna and Kopadak has never had any incursion of the saline water, but owing to the formation of silt at the mouths of these rivers, which take off their source at some points in the Nadia district, the inlet of sweet water is prevented so that there is a very great rush of saline water from the sea, with the result that these rivers contain no sweet water for a great portion of the year; consequently there is a great scarcity of drinking water during the major portion of the year in the district of Khulna, from which I come and of which I can speak from personal knowledge. In reply to the question I put, Government stated that absolutely no steps were being taken to dredge or canalise the portions of the rivers Bhairab, Ichamati and Kopadak which are already dying out. If these rivers cannot be watered by the sweet water of the Ganges, I fail to see the use of having the Irrigation Department.

3 P.M.

With regard to the activities of the Irrigation Department, the Madaripur Bil route is the chief item which concerns the Irrigation Department. The question, however, is whether the Madaripur Bil route is maintained for the convenience and interests of the steamship companies or the general public.

Then, I take up the Alaipur river. A few years ago, the matter was brought to the attention of Government and Government was pleased to state, in reply to a question, that although the Alaipur river was dying out (no boats can pass through it during the rains), a separate waterway was provided by the Madaripur Bil route, as if the attainment of a port or particular place is the chief objective of waterways. Government has been sadly neglecting the river Bhairab with the

result that a major portion of the Khulna district has now become a hot-bed of malaria. The water cannot be flushed out and there is no drainage system.

Now, the Madaripur Bil route connects the Madhumati with the Lower Kumar river. All dredging operations have been confined to this lower portion. The Upper Kumar river has never been taken up, consequently it is dying out and no boats can pass through it. My friend, Babu Surendra Nath Biswas, will make another speech with regard to the dredging of the Upper and Lower Kumar river. I draw the attention of the Hon'ble Member in charge to utter apathy, utter thoughtlessness and utter negligence with which these rivers are treated by the Irrigation Department.

Mr. C. ADDAMS-WILLIAMS: The figures which Rai Harendranath Chaudhuri was unable to trace in the budget have, I think, been explained to him, and I hope he is satisfied of their correctness. He has left out the whole of the figures for one circle. The sum of Rs. 6,06,000 that he mentioned was the total of one circle only. Actually, the figures agree on being totalled.

Then, in regard to the question of embankments, the Retrenchment Committee suggested that Government should look into the question of embankments, in order to see whether it was possible to abandon any of them. That question, Sir, has been thoroughly examined since that report was submitted to Government. These embankments have existed in Bengal, we do not know how long, perhaps many many years, and to go and cut them down without making proper enquiries as to what the results would be, would be a policy of folly. There are, however, certain embankments in the Midnapore district, in the Ghatal subdivision, which Government have decided to abandon—the Panna circuit, a greater portion of the Ghatal circuit, 12 miles of the Selye left embankment and the remaining embankment on the right bank of the Selye—the aggregate of these 4 embankments is about 35 miles. We have not been able to find any other case in which we can abandon embankments without bringing about tremendous damage to the country. In regard to the increased expenditure on the embankments in the Midnapore district for next year, the increase is wholly accounted for by the fact that last year there was an abnormal flood in the Kalighai river which drowned out probably one-half of the Contai subdivision. The additional grant is required to repair the large breaches which happened during that flood. Beyond abandoning the few embankments that I have mentioned, I do not see how the expenditure on these embankments can be reduced any further.

Sir, in regard to the Chaktai khal which, I understand, is in the Chittagong district, the matter was re-examined only recently, and we

have found that there is a large sand char at the mouth of the khal in the Karnafuli. This sand bank extends out into the river about a thousand feet. The river has a strong tidal ebb and flow and if we were to dredge a channel between the bank of the river to the deep channel of the Karnafuli opposite the mouth of the Chaktai khal, that channel would be silted up again probably in a few hours, and it would be waste of money. In regard to the interior portion of the khal, Government consider that if any improvement is to be made, it is the duty of the local bodies to take it up.

It has been stated, Sir, that the Irrigation Department does not pay very much attention to the eastern portion of the province. That is quite true, but what is the reason? The reason is that we have insufficient staff, but in order to overcome the difficulty we are now going into the question of expanding the Irrigation Department, not only to enable us to deal with the problems in the Chittagong and other districts in that vicinity but also north of the Ganges in Rajshahi. As matters stand at the present moment, I am afraid we cannot do very much though we are doing some thing in those parts which are outlying areas.

Then, Sir, in regard to the survey of the waterways, one member stated that he was unable to find any provision in the budget for surveys. This provision is really included under the head "Miscellaneous"—Rs. 31,000. We have already done a large number of surveys of various rivers throughout the greater portion of the province, but the rivers will not be improved merely by surveys, and we have to take up the cases one by one for improvement as they arise and it is not advisable to dissipate the staff in making surveys when that staff is required for actual construction or maintenance. We are, however, doing whatever we can in this direction.

Another member stated that Irrigation should be the watch-word of this department. I am in entire agreement with him, and where cases arise of sanitary improvement, we always go into the question as to whether we cannot find a supply of water, that is to say silt-laden water, to flush the land or the river that we wish to improve. It has been stated that the Gorai and Ichamati bridges obstruct the flow of water in those rivers. There is no proof whatsoever of this. We have taken detailed observations at these bridges and we have found no evidence whatsoever of obstruction. Then, in regard to the scarcity of water due to saline water in the rivers, all our projects are being designed with the object of obtaining fresh water to flush them which will result in pushing the salt water further to the south.

In regard to the Alaipur khal, we hope to put a project into the budget of 1928-29 for the canalisation of this channel. The Upper Kumar river has not been dredged because it is not [illegible]

boat route, nor a steamer route, and if we improve it too much, we shall then increase our difficulties on the Madaripur Bil route by the introduction of more sand.

Sir, with these words I oppose the motion.

Rai HARENDRANATH CHAUDHURI : Sir, may I ask a question? Government promised after the issue of the report of the Retrenchment Committee to investigate into the question of the Taccavi Embankments, and further stated that a special officer was deputed to enquire into the matter. Is the Government prepared to lay on the table a copy of the report made by the special officer?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): There is no such report at all.

3-15 P.M.

The motion that the demand of Rs. 5,84,000 for maintenance and repairs under the head "15B.—Navigation, Embankment and Drainage Works" be reduced by Re. 1 was then put and lost.

Rai HARENDRANATH CHAUDHURI : I beg to move that the demand of Rs. 3,64,000 for establishment under the head "15B.—Navigation, Embankment and Drainage Works" be reduced by Re. 1 (page 32, Budget).

This year the establishment charges are going to be increased by the opening of a new irrigation division at Bankura and a new irrigation subdivision at Midnapore. Sir, I have again to refer to the report of the Retrenchment Committee and the Government decisions on the recommendations of the report. The Retrenchment Committee observed: "the total expenditure of the department during the current financial year is estimated in the budget to be Rs. 83 lakhs". "The establishment charges amount to Rs. 9,29,000 distributed among the various works, of which Rs. 1,07,000 is debited to capital works", and with reference to the recommendation of the Retrenchment Committee to reduce the Establishment charges of this department, the Government in the statement of their decisions with regard to the Retrenchment Committee report said that "the matter was under investigation by a special officer. A saving of Rs. 1,29,000 was anticipated in 1924-25 and Rs. 3,80,500 in subsequent years on account of establishment, etc." The Government hoped at the time that there would be a net reduction of about Rs. 4 lakhs from 1924-25 onwards, but we find that instead of a reduction the establishment charges, etc., are going to be increased. Not only recently we know that a new division has been opened at Khulna.....

Mr. C. ADDAMS-WILLIAMS : It was opened some years ago.

Rai HARENDRANATH CHAUDHURI : I know it was opened probably in 1923. That was opened behind our back without showing any charges in the budget at all and it was only by way of a question that we came to know of it. We find that the establishment charges are going to be further increased by opening new irrigation divisions at Bankura and Midnapore; but so far as I know the circle under which these divisions will come is not much overworked. In the older districts there is not much work to do and so if the Government at all thinks it necessary to open a new division at Bankura why cannot some of the old divisions be done away with and the charges in connection with the old establishments be reduced? That is my point.

Mr. C. ADDAMS-WILLIAMS : Sir, there has really been a reduction in the establishment charges of the Irrigation Department. In the year 1925-26 the total establishment budget amounted to Rs. 11,42,000; in 1926-27—I am placing the figures on the same basis for comparison—the expenditure was Rs. 11 lakhs or rather the estimated expenditure was Rs. 11,21,000, a reduction of Rs. 21,000. For next year, after excluding any establishment charges on contribution works, the total expenditure will be Rs. 12,82,000, but this sum contains a figure of Rs. 1,27,000 for rents of offices in the Imperial Secretariat. Deducting that sum we are left with a sum of Rs. 11,55,000. The additional cost due to the opening of the Bankura division is Rs. 16,000 and the additionl cost on account of the Damodar Canal construction is Rs. 38,000—total Rs. 54,000. If we deduct this amount from Rs. 11,55,000 we get Rs. 11,01,000. Therefore in 1925-26 the expenditure was Rs. 11,42,000, in 1926-27 11,21,000—and for next year Rs. 11,01,000. There has actually, therefore, been a reduction in the establishment charges. It is not correct to say that the circles are not overworked. The amount of work in the department at present is so heavy that it is almost impossible to deal with it and rather than reduce the charges it is necessary to increase them. Sir, I oppose the motion.

The motion of Rai Harendranath Chaudhuri was then put and lost.

Mr. JOGESH CHANDRA GUPTA : I beg to move that the demand of Rs. 13,19,000 under the head "15.—Irrigation—Other Revenue Expenditure financed from Ordinary Revenue (Reserved)—B—Navigation, Embankment and Drainage Works" be reduced by Re. 1 (page 56, Civil Estimate).

Sir, I will only address one enquiry to the Member in charge of the department and that is this: this House would very much like to know how much has been spent and what steps have been taken since

the passing of the Agricultural and Sanitary Improvement Act. Is there any scheme before the Irrigation Department either from the Agriculture or the Sanitary Department or do they find the Act unworkable? I think the replies to these questions would satisfy me. If, of course, they have not taken any steps up till now and if they find that the Act is unworkable, it is desirable that the Irrigation Department, in consultation with the Agriculture and Sanitation Departments or whatever it may be, should proceed to solve the difficulty.

On the Hon'ble the President calling upon the Hon'ble Nawab Bahadur to reply Mr. Addams-Williams rose to reply on his behalf.

Babu JITENDRALAL BANERJEE : On a point of order. I understood you to call upon the Hon'ble Nawab Bahadur to reply.

Mr. PRESIDENT : Yes, I called upon the Hon'ble Member, but he can authorise his Secretary to reply on his behalf.

Babu JITENDRALAL BANERJEE : Can a Hon'ble Member delegate his right to his Secretary?

Mr. PRESIDENT : There is no question of delegating his right. I think, Mr. Addams-Williams can speak for the Hon'ble Member in charge of the department.

Mr. C. ADDAMS-WILLIAMS : Sir, there are two or three schemes which will now be taken up under Act VI of 1920. In the agricultural budget a scheme has been included for a large work, the construction of which will be started next year, *i.e.*, the Gangakhali-Suadighi scheme in the Midnapore district. I believe this is the first scheme of any magnitude to be undertaken under this Act. There has not been any particular difficulty in working the Act: we have several other large schemes which have been worked up under this Act, one of which is called Bhairab No. II; that is designed to flush the Bhairab on those reaches on which the town of Jessore is located. That scheme was sent to the Collector some time back to take action: two schemes have been sent to the Collector of the 24-Parganas, and we have, I suppose, about 40 or 50 schemes that we are working at now with a view to taking action under this Act. Therefore, Sir, the Act is quite workable and we are doing as much work as we can under it. I oppose the motion.

The motion of Mr. Jogesh Chandra Gupta was then put and lost.

Khan Sahib Maulvi ABDUS SATTAR : I beg to move that the demand of Rs. 14,45,000 under the head "15.—Irrigation" be reduced by Rs. 31,000 (page 56, Civil Estimate).

Sir, the reasons which prompted me to put in this amendment are these: first of all I notice on page 56 that under "Miscellaneous Expenditure—Voted" Rs. 31,000 has been put and on the same line I find *minus* Rs. 9,000. The actuals of 1925-26 are Rs. 15,756 and there is another item, *viz.*, Non-voted, where I find *minus* something which I do not understand and this item it appears has got no meaning. What I mean is this. Miscellaneous expenditure might mean anything and everything. I cannot understand why under this head "Irrigation", where we have definite schemes and lots of other schemes which are not properly looked after, such a large amount has been set apart for miscellaneous expenditure. It is rather strange that such a large sum should be put in an important budget of this nature without showing the items of expenditure it represents, and one of the objects of my motion is to elicit information on this point. My second reason is this: as has been complained of by other members who have preceded me, there has been an unequal distribution of the amount under this head and so far as my district of Chittagong is concerned I join issue with my friend Maulvi Maqbul Husain. There are several important schemes regarding which something should be done, but as things stand at present there is no sign to show that in future it will be done. Therefore I want a definite explanation as to the items on which this amount is going to be spent and what is the meaning of these *minus* somethings.

Mr. C. ADDAMS-WILLIAMS : Sir, the item of Rs. 31,000 includes two items for surveys—one of Rs. 11,000 for the cost of surveys now in progress and one of Rs. 15,000 for any new surveys that will have to be undertaken next year. That makes Rs. 26,000 and the balance of Rs. 5,000 is due to the *pro rata* distribution of establishment, tools and plant. In regard to the *minus* figures which seem to have worried the mover these are really a deduction from establishment charges to be placed against English cost of establishment and have to go on to the High Commissioner's budget. That is the reason why they are shown *minus*.

Khan Sahib Maulvi ABDUS SATTAR : May I ask one question? For what survey work Rs. 11,000 has been provided?

Mr. C. ADDAMS-WILLIAMS : For any survey work necessary in the province.

Khan Sahib Maulvi ABDUS SATTAR : Is it for any particular district?

Mr. C. ADDAMS-WILLIAMS : Not for any particular district, but for particular schemes.

The motion of Khan Sahib Maulvi Abdus Sattar was then put and lost.

The following motions were called but not moved:—

3-30 P.M.

Babu NALINIRANJAN SARKER : "That the demand of Rs. 14,45,000 under the head '15—Irrigation—Other Revenue Expenditure financed from Ordinary Revenue (Reserved),' be reduced by Rs. 100 (page 56, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA, Maulvi SYED NAUSHER ALI, Babu JITENDRALAL BANNERJEE and Babu ROMES CHANDRA BACCHI: "That the demand of Rs. 14,45,000 under the head '15.—Irrigation' be reduced by Re. 1 (page 56, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 3,62,000 under the head 'XIII.—Irrigation—Unproductive—Extensions and Improvements' be reduced by Rs. 10,400, on account of provision for construction of the Khulna Executive Engineer's office buildings (page 15, Civil Estimate, and page 10, Budget)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 4,09,000 for establishment under the head 'XIII.—Irrigation, Navigation, etc.—Works for which capital accounts are kept' be reduced by Rs. 52,000 (page 15, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 14,05,000 under the head 'XIII.—Irrigation—B—Navigation, etc.—Works for which capital accounts are kept' (for working expenses) be reduced by Re. 1 (page 9, Budget)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 16,02,000 under the head 'XIII.—Irrigation—Working expenses' be reduced by Rs. 100 (page 56, Civil Estimate)."

Rai Bahadur JADUNATH MAZUMDAR : "That the demand of Rs. 16,02,000 in respect of 'XIII—Irrigation—working expenses' be reduced by Re. 1 (page 56, Civil Estimate)."

Mr. J. A. WOODHEAD : I beg to point out, Sir, that there are three other motions of the same character but in the name of different members, *viz.*, 161, 162 and 163. Should the movers be not given an opportunity of moving them?

Mr. PRESIDENT : It has been pointed out to me that with regard to motions Nos. 161, 162, and 163, members against whose names they stand may like to move them. I should know if any one of them intend to do so.

(Maulvi Syed Nausher Ali was absent.)

Babu JITENDRA LAL BANERJEE : I do not want to move this particular motion but I will speak on motion No. 169.

Babu ROMES CHANDRA BACCHI : I do not want to move my motion.

Mr. PRESIDENT : I think I can now go over to motion No. 169.

Babu SURENDRA NATH BISWAS: I beg to move that the demand of Rs. 1,89,000 for construction of the locks and sluices in the Lower Kumar under the head "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works" be refused (page 35, Budget).

By this grant Government wants to construct some sluices and lock gates at the mouths of some khals which fall into the Lower Kumar. The river Kumar is about 40 miles in length in the district of Faridpur of which about 10 miles is called the Lower Kumar. The Lower Kumar is nothing but a link between the bil route and the Arialkhan river; it is only a continuation of the bil route. Now the water of the Arialkhan passes into the Lower Kumar during the rains. From the middle of August till October the water of Arialkhan which contains silt passing into the Lower Kumar naturally deposits some silt in its bed. Government in order to remove that silt dredges the Lower Kumar every year. Now the Government wants to prevent that silt depositing in the Lower Kumar by a natural process and thus dispense with the work of dredging. It proposes that if a comparatively larger volume of water can be kept up in the Lower Kumar it may originate a down current and that current may prevent the water of the Arialkhan from passing into the Lower Kumar. This the Government proposes to do in the following manner. It wants to put up gates at the mouths of the canals which are about 6 in number for the purpose of regulating the influx and efflux of river water into those canals by the help of those gates and by doing so it wants to keep a larger volume of water in the Lower Kumar. But I object to that. My ground is that the construction of gates at the mouths of these khals will be the cause of their being silted up and that will affect the health, agriculture, trade and communication of millions of people. These are the khals which supply drinking water to the millions of people in the interior and these are the khals which supply natural manure to thousands of acres of agricultural lands; these are the only khals which are used as means of communication of traders

and non-traders of several districts. Now if these khals are just closed at the mouths disastrous consequences will follow. Water will stagnate and become foul and malaria and other pestilences will prevail, agriculture will suffer and communications close. Thus the interests of millions of poor people of this country will be seriously affected. I admit that the Lower Kumar requires protection; I admit also that these khals will deteriorate along with the deterioration of the Lower Kumar but I suggest that the Lower Kumar be dredged as it is being dredged at present and that the Upper Kumar also be dredged. If the Upper Kumar be dredged it will supply water to the Lower Kumar. At present 8 miles length of the Upper Kumar just up the Lower Kumar is almost dried up. I put in a resolution for dredging the Upper Kumar but unfortunately I had no opportunity of moving it. Then I put in a question whether the Government contemplated the dredging of the Upper Kumar and the answer I got was that there were no such proposals before the Government. I am sorry to say that there are many persons to give proposals for the construction of gates at the mouths of these khals but there is none to make a proposal for dredging the Upper Kumar, the silting up of which means death to millions of people. The Government will not look to that. It is out for a natural process. But may I ask: Is there any guarantee that by putting up locks and sluice gates the Lower Kumar will be protected? I had a talk with the Superintending Engineer last year. I asked him whether he could give any such guarantee but he said "No". He could not give any such guarantee. On the other hand he observed that it was an experiment only and that the project might succeed or might fail. Should I, in these circumstances, allow the Government to play with the interests of so many millions of people for the fun of an experiment? Sir, I cannot allow the Government to do so, if I can.

Babu AKHIL CHANDRA DATTA: You cannot.

Babu SURENDRA NATH BISWAS: My friend says I cannot. I know that I cannot but as I have come here as a representative of the poor millions of Faridpur I think it is my duty to raise my voice of protest against this scheme although it may be ignored.

Now, Sir, if the Government really means to protect the river as it professes to do, the only best thing it can do is to dredge the Upper and Lower Kumar instead of putting up gates at the mouths of these khals. But I think the Government will not do that, because it has nothing else in its view except the Lower Kumar. It is very much interested in the Lower Kumar, not so much for the protection of the river as for the protection of the bil route and that also for the maintenance of the steamship companies. I know that the present

Government, the successor of a company of capitalists, will look to the interest of the capitalists and it befits them to do so, but I ask the non-Government members of this House, should they allow the interest of millions of people to be sacrificed for the sake of a handful of capitalists? Should they allow the people's money to be used against the people themselves for the sake of their exploiters? I hope they will say, no, and support me if not for my arguments but for the sake of humanity. With these words I submit that this project be given up and the demand refused.

Babu NAGENDRA NATH SEN: I wish to add my own experience to that of my friend Babu Surendra Nath Biswas. I have seen sluice gates have been constructed in the bil route portion. If the Hon'ble Member would only care to gauge the sentiment of the people of that country he will be convinced what immense mischief has been done to the people, to their agriculture, to their health and sanitation and I think he would be the last man to undertake the construction of sluice gates to cut off the water. I appeal to him not to do so. The budget says that in the coming year it is expected that work on the construction of the locks and sluices in the Lower Kumar will proceed more rapidly and hence larger provision has been made. I am extremely sorry for the position taken up by Government in this respect. If Government have any regard for the health, sanitation and agriculture of the country I appeal to the Hon'ble Member to ascertain for himself by a personal visit to those parts of the country the sentiment of the people, whether the sanitation of those places has deteriorated, and whether agriculture has diminished. Then he will be satisfied that he should not push forward this project for the sake of benefiting the steamship companies, but he should look to the interest of the larger population from whose revenue he is paid. I think I am entitled to some assurance from the Hon'ble Member that until and unless he has visited the people and seen for himself their condition he will not authorise the construction of these works. I am told that as soon as the budget estimates are passed construction will be taken in hand. It is said that the High Commissioner has been entrusted with orders and when the sluice gates and locks are received construction will begin at a rapid pace. So I think we are entitled to ask the Hon'ble Member not to authorise any construction work before he sees things himself.

Rai Bahadur JADUNATH MAZUMDAR: In the course of my investigations into the Kumar river, this portion of the river came under my observation and I can speak from personal knowledge that these sluice gates are not likely to improve the Kumar river at all.

Of course, I speak subject to correction by my friend, Mr. Addams-Williams, who is an expert and I am but a layman. Sir, the position is this: So far as I know, the Kumar in that part flows from the East first towards the West and then flows southwards to Arielkhan, the big river on which stands Madaripur. The Madaripur Bil route passes through this portion which is called the Lower Kumar, but during the rains the silt of Arielkhan passes into this portion of the Lower Kumar and thereby raises the bed of the river and makes it difficult for big steamers to pass down.

3-45 P.M.

Of course I do not say that we should not keep this channel open: in fact, we should keep this channel open. It is an important trade route: it not only benefits the big merchants of Calcutta but it also benefits the traders and cultivators of the locality: therefore, this route should be kept open. But the Irrigation Department of the Government, so far as I can find, wants to keep this bil route open by closing the mouths of the big khals which take their rise from the Kumar towards the West and which keep up a communication with the Western districts. Their point is this: that if these gates be kept open then all the water there will be kept in the channel of the Kumar, and, therefore, its depth will be higher during the dry season than it is at present on account of the water passing towards the West through these khals. But what I submit—and what my learned friend Mr. Addams-Williams knows very well—that if we do not allow the silt of the rivers to be deposited on the low lands through these khals then the river will die a natural death because the silt will be deposited on its own bed. The Government says that this will be prevented on account of the larger volume of the water of the Kumar river coming in. But I do not think that this will happen for, as Mr. Addams-Williams knows it very well that about a further six or seven miles up the Upper Kumar joins the Arielkhan, and the silt is coming in very large quantities in that part of the river also. This is a fact which my friend Babu Surendra Nath Biswas has omitted to mention. Well, you are going to close the khals and thereby you will increase the silt deposit on the bed of the river and thus not only make the bil route an impossible one but also injure the crops of thousands of people there inasmuch as they will not get sufficient water for their wet crops. Further, they will not only be deprived of their drinking water but also of the means of communication. This will undoubtedly be a great hardship. I would, therefore, request Mr. Addams-Williams and the Hon'ble Member in charge of the Department to postpone this matter and to further consider whether it will really improve the bil route. The best thing would be to dredge it every year just after the rains are over—just after the floods—for that is the proper time to dredge. I believe that the dredger

Ronaldshay is lying idle in the Hooghly, and I cannot understand why the dredger *Ronaldshay* should not be employed to dredge the bil route every year after the rains.

Lastly, I do not think that it is our object—it is not my object at least to hamper the Government by making a cut here and a cut there. In this case it is not a question of expenditure of one lakh or two lakhs of rupees that we are concerned with but that it is a question which concerns the health and prosperity—the very lives—of the thousands of people on the west bank of the Kumar river and I would, therefore, request my friend, Mr. Addams-Williams, to consider this matter carefully and not to do anything in a hurry.

Rai HARENDRANATH CHAUDHURI: This is a scheme on which, I believe, I had a talk with Mr. Addams-Williams some time ago—I think in 1925—at the instance of some of the people interested in that locality. Mr. Addams-Williams was kind enough at that time to show me the map of the area and also to explain the scheme in some detail. His whole point was this: that the Lower Kumar river was deteriorating and throwing up shoals. Therefore, it was necessary either to make a recurring provision for the dredging of the Lower Kumar river or to think out another scheme—to carry out another project—which would secure the object of keeping the Lower Kumar river free from shoals. It is just the scheme on which the Irrigation Department has set its heart, *viz.*, the scheme of putting sluices at the mouth of the khals on the south-western side of the Lower Kumar river and of securing the flushing of the Lower Kumar river by regulating the influx and efflux of the water of the khals. But, Sir, while that is the Government view, there is no doubt that the people of the locality are unanimously opposed to this Government scheme. They are apprehensive that if this scheme be carried out, it will prejudicially affect their health, their sanitation, their sources of water-supply, and also the local trade and communication. That being the case, there being so divergence of opinion between the people on the one hand and the Government experts on the other, may I suggest, Sir, that the Government should not light-heartedly launch on the scheme: on the other hand, the Government should appoint a committee of experts to go into this matter, and if the committee of experts approve of the Government scheme after taking into consideration all the arguments advanced by the people, then and then only the Government will be justified to put their scheme through: otherwise, when the success of the scheme is at best problematical, when it is uncertain whether the scheme will secure the object with which the Government is going to carry it out, I think, the Government should not antagonise the local people and should not ride rough-shod over the feelings of the people of the locality, and should not carry out the scheme in the teeth of their protests. It would be better

to appoint a committee of experts who will weigh and take into consideration all the arguments for and against this scheme, and, who, if they are satisfied, will recommend its execution. It is only by adopting such a method that we can prevent a conflict between the Government opinion and the popular opinion; otherwise the local people will never submit to the *ex parte* decision of the Government on a matter which they believe will vitally affect their health and welfare.

The Hon'ble the President then called upon the Hon'ble Member in charge of the Department to reply, whereupon Mr. C. Addams-Williams rose to reply.

Babu AKHIL CHANDRA DATTA: On a point of order, Sir. You have already ruled that if any Hon'ble Member in charge of a Department is called upon to speak he can permit his Secretary to speak on his behalf: that is final and I do not question that. What I want to know, Sir, is this. Can the Secretary speak without the permission of the President? This is my first question. My second question is if the same indulgence will be allowed to non-official members: supposing, I am fortunate enough to catch your eye, can I transfer my brief, say, to Harendra Babu, and can he speak without your permission.

Mr. PRESIDENT: I have already ruled that a Secretary, when authorised by the Hon'ble Member in charge of a Department, can have my permission to speak, and I think that my decision holds good.

Babu AKHIL CHANDRA DATTA: Sir, I do not challenge that. The question is whether the Secretary can speak without being asked by the President?

Mr. PRESIDENT: That permission is implied.

Babu AKHIL CHANDRA DATTA: But I want to know whether the same indulgence will be allowed to non-official members.

Mr. PRESIDENT: That is a different matter altogether. A non-official member is not in charge of any department and he speaks on his own behalf whereas an Hon'ble Member in charge of a department of the Government speaks on behalf of his department with which his official Secretary is also connected.

Mr. C. ADDAMS-WILLIAMS: Sir, the trouble over this question of constructing locks and sluices on the south bank of the Lower Kumar river arises really out of a misunderstanding. I agree with much that has been said here to-day by various members in regard to the undesirability of preventing silt-laden water passing out through these particular channels. We have no such intention whatsoever—it never has been intended—that this silt-laden water should be cut off. As a matter of fact, if the water was cut off by the sluices we should find that the silting in the river itself would become very much worse than it is at

the present day. It is not in our interest to do so. During the tim that the rivers are rising, that is to say, up to about the month c August, the bils are being filled with silt-laden water an during that time not a single sluice will be closed. We wish the sil laden water to pass, as it does to-day, out into the bils on the sout bank of this river. But what we do propose to do is on the fallin rivers partially to regulate their sluices. I myself went into the que tion of the amount of water which was escaping through all these sid khals, and I came to the conclusion that it amounted to about 17,00 cubic feet per second. We do not want this quantity for keeping th Kumar in good order. We only require a portion of it. Now, Si when the rivers are falling the bils begin to drain, and the water whic enters the rivers at that time is perfectly clear. Therefore, what har is there in stopping a fraction of this supply from passing through th smaller khals and turning it out into the Arialkhan through the Kuma river itself? Some years ago, I think it was in 1914-15, we had simila trouble at the western entrance to the Madaripur Bil route at what i known as the Manikdaha entrance, near Gopalganj, and we had t employ two of our large dredgers to maintain this entrance. I visite this route in September, 1914, and found the *Foyers* dredger dredgin no less than 17 feet of silt. The following month I went there agai and found the *Foyers* dredger again dredging 17 feet of silt from tha same place; that is to say, in about six weeks' time no less than 34 fee of silt was removed from the entrance. As a result of this trouble w constructed an embankment with 13 sluices in it running along th south bank of the Madaripur Bil route, these works were brought int operation in 1915. Since then we have never had to use a dredger i this entrance. What we did was to turn the bil water out throug this entrance and after so doing we prevented the silt-laden water o Madhumati from entering. In 1914-15 the maintenance charges fo the Madaripur Bil rose to Rs. 2¼ lakhs and we cleared no less than 62 lakhs of cubic feet of silt from this entrance. The problem, Sir, a the eastern end in the Lower Kumar is exactly a similar one and w propose to tackle it in exactly the same way. As I have already ex plained we do not intend to shut off silt-laden water from enterin these khals. Therefore I oppose this motion because I think that ther has been a great deal of misunderstanding. I may say, however, tha the Hon'ble Member of the Irrigation Department will be visiting thes parts in July or August next and will get into touch with the loca people and discuss the matter with them.

4 P.M.

Rai Bahadur JADUNATH MAZUMDAR: May I ask you one ques tion, Sir? If the water that will come into the Lower Kumar from bils or khals be clear water, what is the use of these sluices?

Mr. C. ADDAMS-WILLIAMS: The water does not enter the Kumar through the khals but goes out from the Kumar through these khals.

The motion that the demand of Rs. 1,89,000 for construction of the locks and sluices in the Lower Kumar, under the head "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works" be refused (page 35, Budget) was then put and a division taken with the following result:—

AYES.

Ahamed, Maulvi Asimuddin.
Ahamed, Maulvi Kasiruddin.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Chakravarti, Babu Jogindra Chandra.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
Mukerjee, Srijut Tarakanath.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.

NOES.

Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
De, Mr. K. C.
Dey, Mr. G. G.
Dagald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. S. S.
Faroqui, Khan Bahadur K. G. M.
Ghuznavi, the Hon'ble Nadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Hussain, Maulvi Latafat.
James, Mr. P. E.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sashindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarkar, Rai Sahib Nobati Mohan.
Shah, Mr. Gholam Hossain.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 45, and the Noes 49, the motion was lost.

The following motions were called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 2,17,000 under the head '16.—Construction of Irrigation, Navigation, Embankment and Drainage Works (Reserved)' be reduced by Rs. 100 (page 58, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 17,50,000 for A.—Irrigation Works—Productive under the head '55.—Construction of Irrigation, etc.—Works not charged to Revenue' be reduced by Re. 1 (page 59, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 19,800 for Navigation Works—Productive, under the head '55.—Navigation, etc.—Works not charged to Revenue' be refused (page 59, Civil Estimate)."

Maulvi SYED NAUSHER ALI: "That the demand of Rs. 18,59,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue (Reserved)' be reduced by Re. 1 (page 59, Civil Estimate)."

Babu NALINIRANJAN SARKER: I beg to move the demand of Rs. 18,74,000 under the head "55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue (Reserved)" be reduced by Rs. 100 (page 59, Civil Estimate).

In proposing this cut my intention is to draw the attention of this House to the deplorable condition of the Irrigation Department. It is the most irresponsible of all the Secretariat departments. Large amounts are allotted to this department for expenditure without its being exposed to the same effective scrutiny by the Finance Department as in the case of the others. It is practically unfettered in regard to expenditure, because any layman, however well-informed, who attempts to criticise the details of a given scheme is promptly silenced by the *ipse-dixit* of some technical expert, a veritable godling to whose tyranny the Hon'ble Member in charge, the Finance Department or even His Excellency the Governor has to bow. Thus neither in the initiation nor in the conduct of a scheme has the Department seriously to reckon with outside criticism. We finally come to a veritable *reductio ad absurdum* when we remember that it is Mr. Addams-Williams, the Secretary who checks and passes the schemes prepared and to be executed by Mr. Addams-Williams the Engineer. The Budget estimates presented by the Irrigation Department are so splendidly unintelligible that they reduce the Hon'ble Member in charge into blind acquiescence, nay more, dazzle even the Hon'ble Mr. Donald out of his consistently negative stolidity.

Its very name is a misnomer; for the department is maintained primarily for the upkeep of certain embankments and a few navigation canals. Of irrigation proper this department can boast of next o nothing. Beyond the maintenance of the Midnapore and Eden canals there has been practically no work of any worth undertaken by his department from the time of its inception. The Damodar Canal s, no doubt, a new departure of which I shall speak later.

The resolution of Government published in 1924 in connection with his department makes curiously interesting reading. I quote only one paragraph:

"As stated in the last year's resolution, the important problems with which the Irrigation Department in Bengal have to deal are connected more with the improvement of navigation and sanitary conditions and control of flood water in the province than with irrigation properly so called. As regards the improvement of navigation Government have long been impressed by the necessity for developing the waterways. For this purpose, three dredgers have been brought from England of which one is intended exclusively for the Grand Trunk Canal. This project has been held in abeyance for the present on account of financial stringency. It is expected that if the project is carried out, navigation in the province will be very greatly improved."

I am thankful to the author of this paragraph not only for supplying me with a correct description but also for making an admission that saves me much trouble in proving my contention. The paragraph likewise tells us that the improvement of sanitary conditions is a direct concern of this department. This information will, no doubt, prove amusing to this House, which is only too familiar with the obstinacy with which the Grand Trunk Canal project is being pushed through in the teeth of the opposition of the Public Health Department. Then, again, there is the Magrahat drainage scheme which was supposed to be designed to effect the sanitary improvement of the area as well, but has in fact resulted in an increase of malaria and a consequent arrest in the increase of population.

The efficiency of this department can be judged from the following facts: The total capital expenditure by this department in Irrigation works proper is about Rs. 85 lakhs with a net revenue of about Rs. 42 thousand or practically half per cent. The total capital expenditure on navigation works is a little over three crores with a deficit of nearly three lakhs per year or minus one per cent. It is incomprehensible how the department can continue to be run in this way without coming to be an intolerable burden on the people. In fact, it is already bankrupt beyond recovery. The capital obviously cannot be repaid;

apart from that it cannot even justify the huge waste it has incurred on the score of any indirect benefit to the people. I refrain from going into further details lest that should prove tiresome.

I maintain that not only is this department stagnating but probably even the great scientist, Sir J. C. Bose, himself would find it impossible to make it respond to any of his delicate instruments, for, does it not beat the vegetable in immobility, or dead metal in inertness? Bengal, as you are aware, Sir, is a peculiar province. Well might the raiyat cry, with apologies to the Ancient Mariner, "Water, water everywhere, but not a drop to irrigate". There is either no water or no sweet water to flow over the land, or else only salt water which poisons it. He has thus to depend on his moody god, the Monsoon. The real problem with which this department should concern itself is, therefore, the control and utilisation of water.

The department, however, appears to have no imagination whatsoever in the case of its legitimate functions, while in evolving schemes of little or doubtful utility costing fabulous sums it has no equal. It is hardly unnatural if the question occurs to anyone whether its inactivity in bringing relief to the cultivator is deliberate or not Since its formation in the distant ages it has spent and is still spending millions of the people's money principally in feeding fat its own personnel and the further astounding fact is that it does not even possess the necessary data on which to build a comprehensive scheme. It cannot say whether water will run from the Indian Ocean to the Himalayas or *vice versa*. There has not yet been a contour survey made of the Province nor even has any attempt been made in that direction in spite of its being headed by "the greatest living deltaic engineer in the world".

The utter inefficiency of the department hardly requires further exposing. Its estimates are invariably exceeded not by a small percentage but sometimes, I may venture to say, even by more than hundred per cent. The excavation of the Hoorhoora Khal recently executed by one of the white elephants in which this department is so prolific—I refer to those fearsome dredgers—is a case in point. Not even a third of the projected length or quantity has, I understand, been excavated and practically the whole of the estimated amount of money is alleged to have been consumed with the result that further work has been abandoned. The following illuminating fact is to be found in the Report on the Madaripur Bil route. The work was stopped "for technical reasons" after expenditure of Rs. 15 lakhs and odd had been incurred against the sanctioned estimate amounting to a little over Rs. 38 lakhs, but the total capital outlay to the end of 1922-23 amounted to over Rs. 62 lakhs. I am further credibly informed that in the dredging of the Lower

Kumar river the original estimate of Rs. 2 lakhs came to an actual of about Rs. 10 lakhs. A layman will find it difficult to resist the conclusion that the department is either incapable of drawing up accurate estimates or had deliberately hoodwinked the authorities in obtaining sanction for projects like these. But this is a department of experts and a layman's inferiority must hide itself in shame. And yet the layman may find consolation in Mr. Henry Ford's memorable words: "We have most unfortunately found it necessary to get rid of a man as soon as he thinks himself an expert if he really knows his job. A man who knows a job sees so much more to be done than he has done, that he is always pressing forward and never gives up an instant of thought to how good and how efficient he is. Thinking always ahead, thinking always of trying to do more, brings a state of mind in which nothing is impossible. The moment one gets into the 'expert' state of mind a great number of things becomes impossible."

Lastly, Sir, the Irrigation Department is wholly demoralised. It is an open secret that discontent rules supreme amongst high and low. And in an atmosphere like this it is only natural that initiative and endeavour must vanish. There is no thinking ahead no thinking of doing anything at all, much less of effecting improvement. The only thought is how best to skip over to the next pay day and how best to keep the current files tidy. I wonder if these be the right conditions to conduce to the making of the greatest living expert. One effect, however, that even a layman like me can foresee is, that Government will be very soon obliged to close this department altogether, owing to the creeping paralysis fast coming on.

The only legitimate piece of work recently undertaken is the Damodar Canal. Here also I feel strongly that there is the same danger of the expenditure far exceeding the estimate. The fact must be or ought to be known to Government whether or not the estimate has already been exceeded. I suggest an enquiry by the Hon'ble Member in charge of the Department himself and it will neither take him long nor will he have to take much pains over it, since I find that both the works and establishment in connection with this project have been shown as separate items in the budget wherefrom there should be no difficulty in finding out the details both as to progress and responsibility. The labour involved will not be wasted--indeed it will rather enable the Hon'ble Member to carry the House with him in future.

Lastly, there is of course the Grand Trunk Canal. I fancy its ghost like Hamlet's father is still raising an ominous finger to its sponsor. I have not the least doubt that it will ultimately find Nirvana, thereby saving the reputation of experts which must otherwise be ignominiously buried. The last council refused the token

demand in no uncertain voice in spite of the opinion of the greatest expert on earth. No sixth sense is required to foresee that its cost will not be three crores but probably nine, and its return not 13 per cent. but possibly 1·3 only. And I also claim judgment in my favour relying on the precedence of the fate of the Bombay Back Bay Reclamation scheme. The circumstances are absolutely at par with those of the Grand Trunk Canal, including the purchase, working cost and maintenance of the fateful dredger.

Such, in short, is the condition of the Irrigation Department. My suggestions are these. The department should be re-organised. Part of it should be incorporated in the Revenue Department for the upkeep of the embankments. While the canals constructed under the Agricultural and Sanitary Improvement Act should be made over to the Agricultural Department. For the purpose of irrigation proper, its expert autocracy should be done away with by the creation of a statutory Water Board with necessary powers to control and guide its functions all interests being suitably represented, by both officials and non-officials. Provision should also be made for the independent examination of schemes and estimates and expressions of opinions thereon. It is highly important that schemes should be formulated and published with full details long before they are sought to be put into execution. The opinions of particular interests and the various local bodies concerned should be invited and secured before any definite step is actually taken. The policy of the department must, from now onwards, be to devise and work out bold schemes calculated to grapple with the vital problems of Bengal and find effective remedies for the associated evils of agricultural decline, epidemic malaria and depopulation. While I say all this I cannot forget how all our demands and requirements have invariably turned to nothing. But considering the seriousness of this situation may I not hope that the Government will at long last evince a sincere desire to take some step for achieving the true wealth and welfare of the peoples of the province, of the fortunes of which they are so anxious to retain supreme control?

Rai HARENDRANATH CHAUDHURI: May I ask two questions? The first question is: What is the position with regard to the Grand Trunk Canal project? Is the Government going to abandon it or going to undertake it? The second question is—if the Government is not going to undertake it just at the present moment, why are they maintaining the special establishment for this project?

Mr. C. ADDAMS-WILLIAMS: In reply to Rai Harendranath Chaudhuri's questions I may say that the question of the Grand Trunk Canal is going to be examined by a committee. In regard to the

establishment which is now maintained, it is a very small establishment and it is employed for the purpose of looking after the lands which were acquired when this scheme was first started.

Rai HARENDRANATH CHAUDHURI: Cannot the latter work be done without maintaining a special establishment?

Mr. C. ADDAMS-WILLIAMS: No, Sir.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member in charge be pleased to state the reason why Rs. 7,00,000 has not been spent out of the budgeted amount? My second question is: On comparing the figures for 1925-26 with those of the present year I find that there is an increase in establishment charges by over Rs. 2 lakhs, though I find that work involving an expenditure of Rs. 7,00,000 had been left undone. Will the Hon'ble Member in charge be pleased to explain how these things are possible?

Dr. KUMUD SANKAR RAY: Will the Hon'ble Member in charge kindly tell us whether Government accepted a resolution moved in this Council for improving the waterways in the Dacca Division? If so, what provision has been made for improving the silted condition of the Chandana river in the district of Faridpur?

Mr. C. ADDAMS-WILLIAMS: The expenditure during the current year on various works has been less than budgeted, because there has been some delay in land acquisition proceedings; the delay has something to do with the amendment of the Land Acquisition Act, the procedure under which takes longer than it did under the old Act. The other reasons are that when a project is first begun, it takes time to arrange preliminaries, collect materials and so forth. When an estimate is prepared 6 or 8 months before, it is very hard to say what will be spent during the next year. If the work is well in progress, we have then some indication of what we shall be able to spend.

Mr. PRESIDENT: As the time-limit has been reached, I have to put the motion of Babu Naliniranjan Sarker.

The following motion was then put and lost:—

"That the demand of Rs. 18,74,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue (Reserved)' be reduced by Rs. 100 (page 59, Civil Estimate)."

The following motion was then put and agreed to:—

"That a sum of Rs. 51,38,000 be granted for expenditure under the heads 'XIII.—Irrigation—Working expenses', '15.—Other Revenue Expenditure financed from Ordinary Revenue', '16.—Construction of Irrigation, Navigation, Embankment and Drainage Works charged to Revenue' and '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue' (pages 56-59, Civil Estimate)."

4-30 P.M.

The time-limit under the head "XIII, 15, 16 and 55.—Irrigation" having been reached, the following motion was not put:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 51,38,000 under the heads 'XIII, 15, 16 and 55.—Irrigation' be reduced by Re. 1 (page 10, Civil Estimate)."

[At 4-30 P.M. the Council was adjourned and it reassembled at 4-45 P.M.]

Srijut TARAKNATH MUKHERJEA: On a point of order, Sir. There is no quorum.

Mr. PRESIDENT: I am afraid, there is no quorum.

The Hon'ble the President then ordered the bell to be rung and then there was quorum.

Mr. PRESIDENT: My request to the members of the House is that after an adjournment when the bell has ceased to ring they should quickly come back to the House, if possible.

24.—Administration of Justice.

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 85,02,000 be granted for expenditure under the head "24.—Administration of Justice" (page 85, Civil Estimate).

Maulvi MOHAMED SADEQUE: I beg to move that the demand of Rs 82,000 under the head "24.—High Court—Original Side—Registrar" be refused (page 86, Civil Estimate).

Sir, my intention of moving this motion is only to elicit information as to the principle or principles on which there are two systems of court-fees—one system of *ad valorem* court-fees for the mufassal and the other system for the rich citizens of Calcutta for which the Original

Side of the High Court is maintained. The poor mufassalites are required to pay *ad valorem* court-fees at Rs. 11-4 per Rs. 100 till the highest amount is reached, *i.e.*, Rs. 10,000 for the value of a suit of Rs. 11 lakhs, while Government exempts the rich citizens of Calcutta and allows only a consolidated court-fee of Rs. 15 for a suit of any amount.

The Hon'ble Mr. A. N. MOBERLY: I cannot hear a single word of the mover.

Mr. PRESIDENT: Will you speak up please, Maulvi Sahib?

Maulvi MOHAMED SADEQUE: The litigants of Calcutta are favoured at the expense of the poor mufassalites. In Calcutta justice is administered by the highly paid Judges, and the Original Side of the High Court is maintained at the expense of the poor villagers. The litigants of mufassal have to pay court-fees on each petition day after day, while those in Calcutta are exempted from such an imposition. I understand that in England justice is administered at the cost of public revenue—no profiteering, nor bargaining—and the same principle has been adopted for Calcutta, but not for the mufassal. Calcutta is England and the villages are not. Villages are India. The Hon'ble Mr. Moberly may say that there are different suits and different laws from time immemorial and they are based on custom, but I know all these are the off-shoots of British justice. My friends the Swarajists and in fact the members of the different general constituencies have come here pledged to protect the rights and interests of the villagers, but may I ask what they are doing to do away with this hardship—to remove this iniquitous system of taxation—and to see whether the system of Calcutta should be extended to the mufassal or *vice versa*. The general principle is—the greater the wealth the higher the rate of taxation, but here it is quite the contrary, the poor are taxed heavily and the rich are allowed to escape. The Original Side of the Calcutta High Court is a standing monument of this iniquitous system—a monument which is maintained at the expense of the poor. The poor not only maintain the law courts in the mufassal, but they also fill the purse of the Government in maintaining the Original Side of the High Court. For this reason, I think, the motion should be accepted. Sir, here the rich citizens pay very little to the public exchequer in the shape of public revenue and all other shapes: they pay much less in proportion to the amount of taxes which are levied upon the poor villagers who are living in dirty soils, who are under-fed, who are under-clothed and are not even protected from malaria and other fell diseases, but Sir, all items of expenditure are, as will be seen, for the happiness and embellishment of Calcutta and specially for the upkeep of

the High Court of Calcutta—I mean the Original Side. For these reasons I beg to move that this motion should be accepted and the Original Side of the High Court abolished. It is not the business of Government to maintain for the rich citizens of Calcutta the Original Side of the High Court at the expense of the poor; and I do not think it is proper that the poor should be taxed for the happiness and for the pleasure of the Calcutta people.

The Hon'ble Mr. A. N. MOBERLY: As far as I can understand the mover, he desires to abolish the Original Side of the Calcutta High Court. I think the House will agree with me that a motion for the reduction of the allotment for contingencies, *viz.*, postage and telegram charges, office expenses and miscellaneous charges of the Registrar is not the proper way of raising such large issue, and now that he has voiced his sentiment perhaps it is unnecessary for me to say anything further because we have nothing whatever to do with the organisation of the High Court. It is a very large question indeed which primarily concerns the Government of India. I oppose the motion.

Maulvi MOHAMED SADEQUE: Will the Hon'ble Member be pleased to state why different systems of *ad valorem* court-fees prevail in Bengal—one for Calcutta and the other for mufussal:

The Hon'ble Mr. A. N. MOBERLY: I am afraid, I cannot answer off-hand without notice. I must ask for notice.

The motion was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Amulya Chandra.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Mukerjee, Srijut Taraknath.
Ray, Mr. D. N.
Sadeque, Maulvi Mohamed.
Sen, Babu Nagendra Nath.

NOES.

Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. S.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. S. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gupta, Mr. Jogesh Chandra.
Huq, Khan Bahadur Maulvi Ehromul.
Hussain, Maulvi Latafat.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. G.

Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Golam.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sarker, Rai Sahib Rohati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Shah, Mr. Gholam Hossain.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.

The Ayes being 11 and the Noes 48, the motion was lost.

5 P.M.

Khan Sahib Maulvi ABDUS SATTAR: I beg to move that the demand of Rs. 45,000 under the head "24A. -High Court—Appellate Side - Registrar -Purchase of books and office expenses and miscellaneous" be reduced by Rs. 20,000 (page 87, Civil Estimate).

In this item I find that a very large amount has been shown as expenses to be incurred for the purchase of books and office expenses and miscellaneous. What these office expenses and miscellaneous are we are not in a position to know. Really this amount comes to at least about Rs. 4,000 a month which is quite a big amount. We people living in the mufassal do not get half as much for expenditure on important matters of sanitation, water-supply, etc., affecting the interests of the people, but here I find a large sum demanded for the purchase of books and I do not think why is it necessary to incur such a heavy expenditure. I do not know what sort of check is exercised under this head. Is there anybody to look after this expenditure or is this amount expended merely on the requisition of anybody and everybody and thus the amount swells up to this high figure? Last year also something like Rs. 4,000 was budgeted for. My idea is that if we reduce the demand by half the amount I do not propose to abolish the whole demand, as a matter of fact I have put down more than half—then it will not inconvenience the authorities concerned but on the contrary it may mean some saving which may be utilised for other purposes.

The Hon'ble Mr. A. N. MOBERLY: This sum is provided for the purchase of books, office expenses and miscellaneous. It includes such items as wages of contingent menials, electric current, telephone charges, wooden boards for the record room, the cost of sending records to the lower courts, summer uniforms for the jamadars and orderlies of the Hon'ble Judges, binding turbans and washing uniforms, purchase of umbrellas, repair and replacement of typewriters, repair and

replacement of the Courts' furniture, and the purchase of such articles as paste, country stationery, dusters, brooms, phenyle, kerosine oil, napthaline, soap, etc., etc.

It is based on past actuals and cannot be cut by half. But I am prepared to promise the Council to take this matter up with the Registrar and see whether any economy can be effected. Meanwhile I ask the Council to oppose the motion.

Khan Sahib Maulvi ABDUS SATTAR: After the assurance given by the Hon'ble Mr. Moberly, I ask permission of the Council to withdraw my motion.

The motion of Khan Sahib Maulvi Abdus Sattar was then, by leave of the Council, withdrawn.

Babu JITENDRALAL BANNERJEE: I beg to move that the demand of Rs. 82,000 under the head "24A.—High Court—Appellate Side Registrar" be reduced by Rs. 26,184 (page 87, Civil Estimate).

I should like to be perfectly frank about this motion. I intend that the cut that I have proposed should apply to the provision that has been made for the Paper-Book Department.

The Hon'ble Mr. A. N. MOBERLY: On a point of order, Sir. The Paper-Book Department is shown as a non-voted item in the budget.

Babu JITENDRALAL BANNERJEE: I have heard the explanation of the Hon'ble Member but I fail to understand why the provision for the Paper-Book Department should be regarded as a non-voted item. Down to the year 1924 the provision for the Paper-Book Department was always shown as a votable item. Since 1925 I understand there has been a re-arrangement but that re-arrangement does not touch me. I say this provision so far as it applies to the Paper-Book Department cannot be regarded as a non-votable item. It does not depend——

The Hon'ble Mr. A. N. MOBERLY: This provision has been ruled by the Governor to be a non-votable item under section 72 D (3) of the Government of India Act, and I submit that Mr. Bannerjee is not in order in referring to that.

Mr. PRESIDENT: I think, Mr. Bannerjee, you ought to accept the statement of the Hon'ble Member and not refer to the Paper-Book Department.

Babu JITENDRALAL BANNERJEE: Yes, but there is one difficulty. Of course I understand it has been made non-votable under section 72D (3) of the Government of India Act but I fail to understand how it can possibly come under that section or how His Excellency's choice comes in at all. Until there arises a dispute as to whether a particular demand can be regarded as a voted or non-voted item, there is no room for His Excellency the Governor's decision or choice. I should like to know from the Hon'ble Member how it is that this item has been recorded as a non-voted item and how it can possibly come under this section.

Mr. PRESIDENT: That question does not arise, since it has been held by His Excellency that it is a non-votable item it is desirable, I think, that you should accept the statement made by the Hon'ble Member and give up your point.

Babu JITENDRALAL BANNERJEE: It is no question of giving up my point.

Mr. PRESIDENT: That is my ruling.

Babu JITENDRALAL BANNERJEE: Yes, Sir. I shall abide by your ruling but I submit that it is a question that affects the rights and privileges of this House. If our rights are going to be curtailed simply because the Hon'ble Member makes a particular statement we are helpless. I appeal to you, Sir, as the custodian of our rights and privileges that such curtailments are not made possible.

Mr. PRESIDENT: I think that it is always the case that when an Hon'ble Member in charge of a Department makes a statement of fact that statement has got to be accepted unless you have sufficient materials to show that it is not right.

Babu JITENDRALAL BANNERJEE: I accept the statement of the Hon'ble Member as a statement of fact but it is not supported by the provisions of the law. There is a distinct provision——

Mr. PRESIDENT: I think it is not necessary to argue about that point.

Mr. K. C. RAY CHAUDHURI: May I ask a question of the Hon'ble Mr. Moberly, Sir? Since when has this item been made non-voted?

Mr. PRESIDENT: It is up to the Hon'ble Member to reply to your question if he likes.

The Hon'ble Mr. A. N. MOBERLY: This is the first budget with which I have had to deal and I am afraid I cannot answer that question.

Mr. PRESIDENT: You may now proceed with your speech, Mr. Bannerjee, but you must give up that point.

Babu JITENDRALAL BANNERJEE: I do not exactly understand what point I am to give up. However, the resources of Parliamentary ingenuity are never exhausted and I can bring in my motion in another form also. What I propose to do is that——

Mr. PRESIDENT: Mind you, it has been decided that it is a non-voted item.

Babu JITENDRALAL BANNERJEE: Even granting that it is a non-voted item, my motion can still come in; it is valid in this way. I propose that the total sum demanded under this head be reduced by Rs. 26,184. I bring in this motion not only for the purpose of passing a vote of censure upon Government but also for the purpose of initiating a discussion on the general policy of the administration of the High Court so far as this particular department is concerned. That is what I should like to do. As my motion now stands, it does not matter from which particular portion this sum is deducted.

So far as the Paper-Book Department is concerned members of the Council must know where they are.

The Hon'ble Mr. A. N. MOBERLY: The total sum of Rs. 82,000 is made up of Rs. 50,000 for supplies and services and Rs. 32,000 for contingencies. The Paper-Book Department is not included in that sum.

Rai HARENDRANATH CHAUDHURI: On a point of order. The Hon'ble Member's explanation does not hold good. Mr. Bannerjee has pointed out that he is moving this motion as a vote of censure on the Government Member in charge of the department; therefore the Hon'ble Member's explanation does not hold good at all.

The Hon'ble Mr. A. N. MOBERLY: I would ask the hon'ble member to confine himself to the two points that I have mentioned. But he is admittedly proceeding to refer to the Paper-Book Department.

I beg to point out in this connection that if any question arises as to whether a particular provision does or does not relate to a particular head of expenditure, the decision of the Governor will be final. If, therefore, we discuss this, it will be a vote of censure on His Excellency the Governor.

Rai HARENDRANATH CHAUDHURI: Certainly not.

Babu JITENDRALAL BANNERJEE: I do not propose that the sum should be deducted from the amount provided for the Paper-Book Department. I propose that it should be deducted from the total amount. I presume it will be conceded that Rs. 82,000 is greater than Rs. 26,184; and if that point holds good, I am perfectly in order; but if the Hon'ble Member disputes that also then I am helpless.

The Hon'ble Mr. A. N. MOBERLY: I quite agree with the hon'ble member provided he does not refer to the Paper-Book Department.

Babu JITENDRALAL BANNERJEE: I shall refer to the Paper-Book Department not for the purpose that the provision for it should be reduced but for the purpose of showing that the policy underlying this measure is wrong (hear, hear) and I am perfectly justified, I think, in doing that.

Mr. PRESIDENT: Mr. Bannerjee, my ruling is that you cannot refer to the circumstances relating to the transfer of the Paper-Book Deaprtment, for it appears to me that in doing so you cannot avoid reflecting on the conduct of His Excellency. The Hon'ble Member in charge of the department has pointed out that thereby you virtually pass a censure upon His Excellency the Governor. I think that is a very cogent argument that the Hon'ble Mr. Moberly has put forward. I think you had better give up that point.

Babu JITENDRALAL BANNERJEE: Not at all.

Mr. PRESIDENT: That is my ruling and you cannot question it.

Babu JITENDRALAL BANNERJEE: I am not questioning your ruling and I am prepared to abide by it. But in this matter of the Paper-Book.....

Mr. PRESIDENT: That may be your opinion but when a ruling has been given by the Chair that you cannot refer to the circumstances relating to the transfer of the Paper-Book Department the best thing for you is to abide by it.

Babu JITENDRALAL BANNERJEE: Does it mean that I cannot refer to the Paper-Book Department at all?

Rai HARENDRANATH CHAUDHURI: On a point of order, Sir. Recently in the Legislative Assembly a censure motion was allowed

because some votable items were withheld from the vote of the Legislature and made non-votable. It is just on similar grounds, so far as I understand, that Mr. Bannerjee is going to move his motion. Because Government have withdrawn some votable portion of the budget from the vote of this legislature, it is only because of that and not because of the item to which he refers, that Mr. Bannerjee's motion comes in. I think Mr. Bannerjee is perfectly in order, regard being had to the fact that a similar motion had been allowed in another place.

Mr. PRESIDENT: You are again disputing the decision that I have already given. I think Mr. Bannerjee would not be right in referring to the circumstances relating to the transfer of the Paper-Book Department.

5-15 P.M.

Babu AKHIL CHANDRA DATTA: Sir, I want to make this submission. We are certainly not entitled under the law to censure His Excellency the Governor, but we are certainly at liberty to censure the administration upon whose advice this provision has been made non-votable by His Excellency the Governor. Certainly we can presume that His Excellency did not act on his own initiative: the matter must have been brought to his notice by some body—by some Government official—and we want to censure that official.

Mr. PRESIDENT: I quite understand what you mean. You can certainly criticise the policy of the Government and you can even censure the Government, but you have not given me sufficient reasons to show that you can in discussing your point avoid reflecting on His Excellency's conduct. I cannot, therefore, revise my decision.

Mr. D. N. ROY: On a point of order, Sir. Cannot the members of this House criticise or question the policy of the Government?

Mr. PRESIDENT: This is not questioning the policy of the Government; this is referring to circumstances relating to the transfer of the Paper-Book Department.

Babu JITENDRALAL BANNERJEE: Sir, if you will allow me just to dwell on the subject for one minute more—to make one more submission—I should like to make it clear.....

Mr. PRESIDENT: I do not think that I can allow you to go on unless you can assure me that His Excellency will not come in anywhere in your speech.

Babu JITENDRALAL BANNERJEE: Sir, if I am not permitted to mention the words "Paper-Book Department", then I had better resume my seat. I was referring to this expression simply for the purpose of showing that His Excellency does not come in any where.

Mr. PRESIDENT: Go on with your speech Mr. Bannerjee. But if I find any thing in your speech to which I should take exception I must stop you.

Babu JITENDRALAL BANNERJEE: Sir, then I simply move it by way of censure on the policy of the Government as regards the administration of the High Court.

Mr. PRESIDENT: Yes, you can do that within proper limits.

Babu JITENDRALAL BANNERJEE: I shall put it in this way. In 1922, 1923 and 1924—for three successive years—I find from a perusal of the reports of former proceedings of this House that the Hon'ble Member of the Executive Council—Sir Abd-ur-Rahim—who was in those days in charge of the Judicial Department—said that a particular provision had been made for a particular department—that department will be unnamed for the present—simply on the ground that it should be gradually made self-supporting. It was not self-supporting in 1922. Next year Sir Abd-ur-Rahim again asked that we should give the department one more year's grace. Government had started the department on the distinct understanding that it should be self-supporting. We allowed one more year's grace; that one year elapsed and in 1924 the question again came up for discussion as the department had not yet become self-supporting. It was still costing.....

The Hon'ble Mr. A. N. MOBERLY: I am sorry to interrupt again. I have already pointed out that this sum of Rs. 82,000 is made up of Rs. 30,000 under "Supplies and Services" and Rs. 52,000 under "Contingencies", and I submit that the hon'ble member should confine his remarks to these two demands.

Babu JITENDRALAL BANNERJEE: Sir, the Hon'ble Member cannot ask me to confine my remarks to any particular item: here I am subject to your rulings and not that of the Hon'ble Member.

Mr. PRESIDENT: Go on, Mr. Bannerjee.

Babu JITENDRALAL BANNERJEE: I know perfectly well that the total demand comprises the two items: it does not require any mathematical genius to discover that fact. I propose a reduction of

the total amount of Rs. 82,000 by Rs. 26,184, and I am perfectly in order in making this motion, and in doing so I say that the High Court in certain of its departments is mismanaged. I say that one particular department of the High Court was expected to be self-supporting in 1922—it was expected to be self-supporting in 1923—it was expected to be self-supporting in 1924—but it was not self-supporting in any of those years. Every year it was said that it would be self-supporting, but instead of paying its way it has become a burden to the taxpayer to the tune of Rs. 26,000 without any profit to any one. The litigant has to pay more and the taxpayer has to pay more: that, I say, is mal-administration of the worst sort. And then, when the Government perceived that they could not justify the expenditure, they quietly removed the item from the votable to the non-votable list (cries of "shame, shame"). I say that this is a further illustration of mal-administration, and it shows how irresponsive to public opinion this Government is in all its branches—throughout the whole body of it—and on that, if on nothing else, I base my motion of censure.

The Hon'ble Mr. A. N. MOBERLY: Sir, the hon'ble member has spoken entirely on a non-voted item, and I do not propose to follow him. I formally oppose this motion.

The motion of Babu Jitendralal Bannerjee was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Ismail, Khan Bahadur Maulvi Muhammad.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mukerjee, Srijut Taraknath.
Rahman, Maulvi Shamsur.
Ray, Dr. Kumud Sankar.
Ray, Mr. D. N.
Sarker, Babu Nalinirenjan.
Sattar, Mr. Abdool Razak Rajee Abdool.
Sen, Babu Nagendra Nath.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamhes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. B.
Crawford, Mr. T. D.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.

Hussain, Maulvi Latafat.
Lebmann, Lieutenant-Colonel J. G. N.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Prentice, Mr. W. D. R.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Jagadish Chandra, of Nadia.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarkar, Rai Sahib Rohati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.

The Ayes being 26 and the Noes 44 the motion was lost.

Khan Sahib Maulvi ABDUS SATTAR: Sir, I beg to move that the demand of Rs. 30,000 under the head "24B.—Law Officers—Legal Remembancer—Fees to pleaders (other than Government servants)" be reduced by Rs. 15,000 (page 89, Civil Estimate).

Sir, my attitude as regards this item is determined by the fact that I find another item of Rs. 60,000 in the budget just above this one which is also meant for fees to pleaders. In the present item, however, there is a qualification, *viz.*, "other than Government servants" and, of course, in the case of Government servants there is a seperate provision. These two together come up to a total of Rs. 90,000, and this expenditure excludes retaining fees. Now this figure of Rs. 90,000 seems to me to be a very big amount and my object is to curtail the demand of Rs. 30,000 by Rs. 15,000 and to see how this would work.

Further, in this connection, I should like to mention that we have had complaints to the effect that the pleaders here are paid lavishly and that the engagements are on a large scale: I know of one case at least in which two or three pleaders were engaged on very high fees and I believe that in this way a very large expenditure is incurred: while in the mufassal the expenditure of every pie is carefully scrutinised.

Adjournment.

The Council was then adjourned till 2-30 P.M., on Thursday, the 17th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 17th March, 1927, at 2-30 P.M.

Present.

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 104 nominated and elected members.

Starred Questions

(to which oral answers were given).

Yield of silk thread from cocoons in Malda.

*46. **Babu ROMES CHANDRA BACCHI:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that the yield of silk threads from cocoons per maund produced from seeds supplied by the Government Silk Farms in Malda, is much less than that from cocoons, per maund, produced from seeds supplied by private silk growers?

(*b*) If so, are the Government considering the desirability of holding an enquiry to ascertain the reason therefor?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): (*a*) No.

(*b*) The question does not arise.

Abandonment of certain embankments in Midnapore.

*47. **Khan Bahadur Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether it is a fact that the Collector of Midnapore has passed orders for the abandonment of embankments Nos. 3, 5, 18 and 19 of Schedule D to the Bengal Embankment Act, 1873 (Bengal Act VI of 1873)?

(*b*) Is the Hon'ble Member aware of the protests made by the zamindars, patnidars and tenants affected by the said abandonment?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state whether Government have considered the result of such abandonment in the area hitherto protected by those embankments?

(*d*) Are the Government considering the desirability of taking steps to prevent floods in those areas?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) The orders have been passed by Government after due enquiry by the Collector.

(*b*) There has been practically no opposition to the abandonment of the embankments.

(*c*) The result of such abandonment was fully considered by Government.

(*d*) Floods cannot be prevented, but remedial measures are under consideration, one of which is the construction of an escape weir at Kushpota near Ghatal for which materials are being collected.

Khan Sahib Maulvi MUAZZAM ALI KHAN: With reference to (*a*) will the Hon'ble Member be pleased to state whether the Embankment Committee was consulted by the Collector and whether the said orders have been published in the *Calcutta Gazette*?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No, it was not consulted.

Khan Sahib Maulvi MUAZZAM ALI KHAN: With reference to (*b*) will the Hon'ble Member be pleased to state whether there were any cases in the Collector's court, in the Commissioner's court or in the Board of Revenue by zamindars or tenants?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice of the question.

Bill Extract Form.

***48. Khan Bahadur Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether a new form called the Bill Extract Form has been

introduced, which is to be written out, filled up, and signed by members of the Bengal Legislative Council before they could get their bills enfaced by the Accountant-General, Bengal?

(*b*) Are the Government considering the desirability of taking steps to discontinue this practice?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) No.

Water-hyacinth.

***49. Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether the Government intends to introduce any legislation for eradication of the water-hyacinth pest?

(*b*) If so, when is it likely to be introduced?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of taking any other effective steps for the eradication of water-hyacinth?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*a*) to (*c*) The question of the policy to be adopted in dealing with water-hyacinth is still under the consideration of Government.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state as to when the consideration of the Government in this respect is likely to come to an end?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: I expect to deal with it in the course of the year.

Water-hyacinth in waterways in Faridpur.

***50. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether he is aware of the spread of water-hyacinth in all the waterways in the district of Faridpur?

(*b*) What steps, if any, have been taken in the district of Faridpur to remedy the evil?

(*c*) What is the amount already spent on the destruction of water-hyacinth, and what proportion of the amount has been met from Government contribution and District Board?

(*d*) Is there any scheme in hand at present for its destruction, and if so, what is the amount of money sanctioned to meet the expenditure for the district of Faridpur?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*a*) A large portion of the waterways in Faridpur is affected. In the northern portion of the district there are areas which are at present free from the weed. It is estimated that about 80 per cent. area is affected.

(*b*) to (*d*) Pending a decision in regard to the policy to be adopted in dealing with the pest no extensive operations have been undertaken. Meanwhile a general enquiry has been made, and experiments in regard to removal of the weed undertaken by the Irrigation Department. A conveyor, specially constructed for the purpose, is now being tried in the Madaripur Bhil Route. It is reported to be working satisfactorily.

It is understood that the Faridpur District Board spent Rs. 5,000 annually during the years 1923-24 and 1924-25.

The amounts spent by the Irrigation Department are—

		Rs.
1925-26	..	483
1926-27	...	2,299 (approximate).

The cost of construction of the conveyor is Rs. 19,000.

Babu NACENDRA NATH SEN: With reference to (*a*) and (*b*) will the Hon'ble Minister be pleased to state whether the result of the enquiry is available to the public?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: No, it is not available to the public at present.

Dr. KUMUD SANKAR RAY: Will the Hon'ble Minister be pleased to lay on the table the report of the enquiry when it is available?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: That question does not arise.

Dr. KUMUD SANKAR RAY: Is the conveyor specially constructed for the purpose at a cost of Rs. 90,000 to be used only in the Madaripur Bil Route or in any other place of Faridpur?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: It may be used anywhere.

Mr. D. N. ROY: Can the result of the two enquiries be made known to the members of the House?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: I shall be very pleased to make them known but I am sorry I cannot.

Dr. KUMUD SANKAR RAY: Is there any amount sanctioned in the budget for 1927-28 for this purpose?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: We cannot make any provision in the budget until there is a scheme.

Milch cows in Dacca (Manipur) Farm.

*51. **Dr. KUMUD SANKAR RAY:** Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) how many heads of milch cattle are there in the Dacca (Manipur) Farm;

(*ii*) the amount of daily milk available from them; and

(*iii*) what income is derived from the same?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*i*) The number of milch cows is 34, of which 10 are dry.

(*ii*) The average daily yield of milk is 134·6 lbs., of which 56·8 lbs. are fed to calves and 77·8 lbs. are sold.

(*iii*) The average income is Rs. 4-13-6 per day.

Unstarred Questions

(answers to which were laid on the table).

Judicial and Executive functions.

113. **Mr. A. C. BANERJEE:** With reference to the reply given to unstarred question No. 35 on the 23rd February, 1927, will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the recommendation of the Government of Bengal to the Government of India was in favour of, or against, the separation of the Judicial and Executive functions?

MEMBER in charge of APPOINTMENT DEPARTMENT (t Hon'ble Mr. A. N. Moberly): The member is referred to the debate Council on the 14th March, 1924, in the course of which the Hon'l Sir Hugh Stephenson stated that the scheme provides for a comple separation of the judicial and executive and added "the scheme h not been sent to the Secretary of State for sanction. The papers ha been sent to the Secretary of State for permission to place them befo the public and the Council for opinion and criticism."

I regret that when answering a supplementary question from memor I stated, incorrectly, that it was submitted in 1924. I now find th it was submitted in November, 1923.

Judicial and Executive functions.

114. Babu AKHIL CHANDRA DATTA: With reference to t reply given to unstarred question No. 35 on the 23rd February, 192 will the Hon'ble Member in charge of the Appointment Department pleased to state whether the Government of Bengal have submitted scheme to the Government of India recommending the separation the two functions?

The Hon'ble Mr. A. N. MOBERLY: The member is referred to tl debate in Council on the 14th March, 1924, in the course of which tl Hon'ble Sir Hugh Stephenson stated that the scheme provides for complete separation of the judicial and executive and added "tl scheme has not been sent to the Secretary of State for sanction. Tl papers have been sent to the Secretary of State for permission to pla them before the public and the Council for opinion and criticism."

I regret that when answering a supplementary question from memor I stated, incorrectly, that it was submitted in 1924. I now find th it was submitted in November, 1923.

Amta Drainage Scheme.

115. Babu AMULYA CHANDRA DATTA: Will the Hon'b Minister in charge of the Department of Agriculture and Industries pleased to state what steps, if any, have been taken in connection wi the Amta Drainage Scheme of the Howrah District Board, which w communicated to the Government on the 8th February, 1923, throug the District Magistrate of Howrah?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI The member is referred to the reply to part *(b)* of starred questio No. 32 put by Babu Manmatha Nath Roy on the 11th March, 1927.

Primary Education.

116. KAZI EMDADUL HOQUE: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether it is in the contemplation of Government to introduce in the Council this year a Bill to give effect to free Primary Education Scheme?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, he is proposing to take for introducing compulsory Primary Education?

(*c*) Will the Hon'ble Minister be pleased to state whether Government are considering the desirability of commending the services of the organisers and financiers of aided Free Primary Education schemes?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): The member is referred to the answer given to starred question No. 25 asked by Babu Manmatha Nath Roy at the meeting of the Bengal Legislative Council held on the 28th February, 1927, on the subject.

Azimganj City Railway Station.

117. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state whether the Government are aware of a representation to the Agent, East Indian Railway, and to the Secretary, Railway Board, by the residents of Azimganj, Jiaganj, Lohaganj, Kashiganj, Debipur, Baranagar, Munsharganj, and Baraduari regarding the proposed abolition of the Azimganj City Station, East Indian Railway, in the district of Murshidabad?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, are the Government proposing to take to remove the grievance of the local public?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. J. Donald): (*a*) Government have no information.

(*b*) The question does not arise.

Calcutta-Murshidabad Railway Service.

118. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware of the difficulties of the people of the Murshidabad district by the alteration of timing of the Up Assam Mail which had hitherto served as a quicker connection to 17 Up train from Ranaghat?

(*b*) If so, will the Hon'ble Member be pleased to state whether th Government are considering the desirability of taking any other ste in order to give a faster service?

The Hon'ble Mr. J. DONALD: (*a*) and (*b*) The provision of a faste service from Calcutta to Murshidabad has been constantly prese upon the Railway Company, but the number of passengers that woul benefit by the faster service is so small that the provision of the servic would not be a sound financial proposition. The matter is still unde investigation.

The Bhagirathi River.

119. Maharaj Kumar SRIS CHANDRA NANDY: Will the Hon'bl Member in charge of the Department of Irrigation be pleased to stat whether the Government propose taking expert advice in order to kee the river Bhagirathi flowing throughout the year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The Government are satisfied with th advice of their own Chief Engineer, who is the first expert authorit on the subject. They do not intend to consult any other authority.

Alleged inconvenience in inland steamer service for passengers.

120. Mr. KIRAN SANKAR ROY: (*a*) Is the Hon'ble Member i charge of the Marine Department aware that

(*i*) the latrines for intermediate and third class passengers mal or female in all the passenger steamers are constructed i such a way that they (the latrines) have no doors, and ar therefore exposed to view;

(*ii*) there is no supply of filtered drinking water for the inter mediate and third class passengers conveniently near th accommodation;

(*iii*) great inconvenience is caused to the female passengers of th intermediate and third class for having to go downstairs t the lower deck for the use of latrines; and

(*iv*) the roof of most of the steamers leak during the rainy season causing great inconvenience to the passengers?

(*b*) If the answer to (*a*) (*i*), (*ii*), (*iii*) and (*iv*) is in the affirmative are the Government considering the desirability of taking immediat steps to remove these inconveniences?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) (*i*) No. Government are informed that all latrines have doors.

(*ii*) Filtered water for intermediate and third class passengers is not available in all steamers. On the Barisal route clean drinking water is obtainable on the lower deck, as close to the stairways as possible, in tanks which are marked "Passengers' Drinking Water" in large letters.

(*iii*) Government are informed that experimental top-deck latrines for third and intermediate class ladies are being introduced in some steamers, and that if the experiment proves successful, it is intended to fit similar latrines on other steamers.

(*iv*) Government are informed that the roofs of all steamers found to be leaking receive the necessary attention at once.

(*b*) No further action is considered necessary.

Aryshire bull for Dacca (Manipur) Farm.

121. Dr. KUMUD SANKAR RAY: (*a*) Will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) the amount of money that has been paid for the purchase of the Aryshire bull for the Manipur Farm at Dacca;

(*ii*) when was the bull purchased; and

(*iii*) how long has the bull been utilised for breeding purposes, and with what results?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether it is a fact that this bull has been attacked with foot and mouth disease, if so, since when; and

(*ii*) the amount of monthly expenditure which is being incurred during the period of illness under different heads?

(*c*) Is it a fact that the sellers reported that the bull would go wild after some time and would not be any good for breeding purpose?

(*d*) Will the Hon'ble Minister be pleased to lay on the table all the papers regarding the purchase of the bull?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: (*a*) (*i*) Rs. 1,550.

(*ii*) In October, 1925.

(*iii*) From March, 1926.

As the progeny is still too young, no information as to results can be furnished now.

(*b*) (*i*) No.

(*ii*) The question does not arise.

(*c*) No.

(*d*) No useful purpose will be served by placing the papers on the table.

Proposal to connect police-stations telegraphically with subdivisional headquarters.

122. Babu NAGENDRA NATH SEN: Will the Hon'ble Member in charge of the Department of Commerce be pleased to state whether there is any proposal of connecting each police-station telegraphically with its subdivisional headquarters?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): No.

Babu NAGENDRA NATH SEN: Will the Hon'ble Member for Commerce be pleased to state whether the Government admits the justice of this proposal?

The Hon'ble Mr. J. DONALD: As a matter affecting the Commerce Department the question of telegraphs is one for the Government of India. The question of connecting the police-stations by telegraph is one for the Police Department.

GOVERNMENT BUSINESS.

Demands for grants.

24.—Administration of Justice.

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): Sir, so far as I was able to understand the mover of this motion he desires that the provision of Rs. 30,000 under the head "Fees to pleaders, other than Government servants", be reduced by Rs. 15,000. The provision for fees to pleaders has this year been split up into two heads—"Fees to pleaders" and "Fees to pleaders other than Government servants". I note that the hon'ble member does not suggest that fees to Government pleaders should be reduced. I am not quite sure whether the object of the motion is that business shall

not be given to pleaders other than Government Pleaders or that the mover considers that too much is spent on pleaders other than Government pleaders, that is to say, that the Legal Remembrancer does not scrutinise their bills with sufficient care. I should like to point out that the Legal Remembrancer scrutinises all bills very carefully and he does not discriminate in any way between Government pleaders and others. The total provision in the budget next year is Rs. 90,000 under these two heads and it is within Rs. 400 of the revised budget of the current year and Rs. 3,000 of the actuals of 1925-26. I will undertake that the Legal Remembrancer will in future scrutinise these pleaders' bills with as much care as he has done in the past but I would ask the House to pass this demand.

The following motion was then put and lost:—

"That the demand of Rs. 30,000 under the head '24B.—Law Officers—Legal Remembrancer—Fees to pleaders (other than Government servants)' be reduced by Rs. 15,000 (page 89, Civil Estimate)."

The following motion was called but not moved:—

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,97,000 under the head '24B.—Law Officers—Mufassal Establishment' be reduced by Rs. 1 (page 90, Civil Estimate)."

2-45 P.M.

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 45,000 under the head "24 C.—Pay of Administrator General and Deputy Administrator General" be reduced by Rs. 9,000 (page 90, Civil Estimate).

Sir, in this connection I beg to say that the pay of the Administrator General should be reduced from Rs. 2,500 to Rs. 2,000 per month and that the pay of the Deputy Administrator General should be reduced from Rs. 1,250 to Rs. 1,000. The pay of the superior officers in this country is excessive, and it looks out of grace especially in a poor country like India that the superior officers should be so highly paid; in all other countries the salaries of superior officers are not so high. As the pay of the Administrator General is a voted one, we record our voice of protest against the policy of pampering high officers of the superior services by excessive pay. I beg to suggest that the pay of the Administrator General be reduced. In this connection I also beg to invite the attention of the hon'ble members of this Council that first class officers can be had from the Provincial Judicial Service on Rs. 1,500 and an efficient man can be obtained from that service on Rs. 1,000 per month.

With these few words I beg to place my motion before the House.

The Hon'ble Mr. A. N. MOBERLY: Sir, this department was formerly under the Government of India, and we have inherited it.

The [illegible] of this department is of very great importance and I do not think we can get officers to deal with it satisfactorily on pay less than what we are paying the present officers. I beg, therefore, to oppose the motion.

The motion of Srijut Bijay Kumar Chatterjee was then put and lost.

Babu ROMES CHANDRA BACCHI: I move that the demand of Rs. 4,10,000 under the head "24 F.—Civil and Sessions Court—Remuneration to copyists" be reduced by Re. 1 (page 94, Civil Estimate).

My object in bringing this motion before the House is to draw the attention of the Government to the very poor remuneration that is paid to the copyists of Civil and Sessions Courts. The matter has been brought to the notice of the Government by questions put in this Council and suggestions were also made for allowing adequate fixed monthly salaries to these poor officers instead of keeping them on the uncertainties of remuneration. We were given to understand that the matter was under the consideration of the Government but such considerations have not as yet matured into action. As regards the remuneration now paid to these officers, I beg to point out the fact that though the Government have increased the rate of fees for copies in Civil and Sessions Courts and though the receipt on this head is gradually rising, the rate of remuneration remains unchanged. If we refer to page 13 of the budget estimates, we find that actual receipt in 1925-26 from sale of stamps for copies under High Court circular was Rs. 8,79,274; in the revised budget estimate for 1926-27 it was Rs. 9,25,000, in the next year's budget it is Rs. 9,50,000, *i.e.*, an increase of more than Rs. 70,000 in two years. As regards remuneration paid to the copyists, the actual figure for 1925-26 is Rs. 4,06,267, in the revised budget estimate for 1926-27 it was Rs. 4,10,000, and we find the same amount fixed in the next year's budget. Having regard to all these facts, it is desirable that the grievances of these officers should be removed without any further delay. With these remarks I beg to recommend the motion to the Council.

Babu AKHIL CHANDRA DATTA: Sir, I have very great pleasure in supporting this motion. In doing so, I want to draw the attention of the House to certain features of this question. Here is a class of officers in whose case it is quite true to say that if a man is once a copyist is always a copyist. That is my impression, although the Legal Rembrancer says "No". Is it a fact that all the other appointments are open to copyists? As a matter of fact from experience extending over a very very long time I know that copyists are

always copyists—they are appointed as copyists and they retire as copyists—of course I am speaking both of copyists and typists. My impression is that they are never promoted to other ministerial posts, and the other most remarkable feature is that these officers are not entitled to any pension. Then it must also be remembered that the work they do is very dull and monotonous, although that work is indispensably necessary in the administration of justice and for carrying out the work in all courts. It has further been pointed out by the hon'ble mover of this motion that some profit is made out of this business by Government. If that is so, it is only just and proper that in these days of high prices some consideration should be made in regard to their pay and prospects.

Babu NALINIRANJAN SARKER: Sir, I rise to support the motion moved by Babu Romes Chandra Bagchi of Malda. The grievances of the typists working in Civil and Criminal Courts is an old one. Resolutions have been moved and questions put to this Council to improve their lot; but as usual, Sir, no steps have yet been taken to redress their grievances. They are drawn from the same *bhadralok* class, to which the ministerial officers belong and they have the same standards of education and of living. Why, then, is this differential treatment meted out to them? The lot of these copyists is an extremely hard one. I do not suggest that the ministerial officers are very well off. Conditions of life have so changed that they too have to lead but hard lives. But the lot of the copyists is indeed hard and beyond description; they do not even get the minimum living wages. There is no question of promotion, increment or pension in the case of these unfortunate people. This cruel and unjustifiable policy cannot be better described than by calling it disgraceful. While nothing is allowed to stand in the way of higher officers getting a multiplicity of allowances, every worn out argument is used to deny a living wage to these unfortunate people whose work has proved of value in the administration of the country. The most unfortunate part of it is that these men do not get the whole of the money that is yielded by their work. The profit made in this department goes to fatten the salaries of those who need it least. The plea of want of funds in the case of top European officials can never stand. Beg, borrow or steal, they must have their comforts; as they understand it; but in the case of Indians, the question is different. If such a state of affairs appeared in any other country, there would have been a formidable agitation over this and the Government would have been bound to take proper steps. But, Sir, I was forgetting for the moment that in those countries the people are governed but here we are ruled.

Maulvi TAMIZUDDIN KHAN: Sir, I support this motion. It was I think in the year 1925 that in answer to a question by one of the

hon'ble members of this House the Member in charge of this Department replied that Government had launched an enquiry into the question of better remuneration to copyists and typists.

It is a pity that Government has not yet seen its way to do anything towards the amelioration of the condition of these poor copyists and typists. They are a very unfortunate class of people subject to all the restrictions of Government service, but enjoying none of its benefits. They are in neither hell nor heaven. They are a hardworked class performing an indispensable function of the machinery of Government and yet their wails and cries for good long years have fallen on deaf ears. Since hopes were given to them for favourable consideration of their grievances and an enquiry was commenced they have been casting wistful glances at the framing of the budget every year, but in vain. They were very hopeful that the coming year would see the fruition of their long cherished desires, but that hope also is now nipped in the bud. Government has no case whatsoever for further postponing the question of improving the lot of these people either by bringing them under the category of paid servants or increasing the rate of their remuneration. The dilatoriness of the Government in coming to a right decision of this important matter is really culpable and it is as a mark of disapprobation of this culpable negligence and apathy that I support this motion for a token cut.

Rai HARENDRANATH CHAUDHURI: I should like to speak a word for the typists and copyists. During my work in this Council on more than one occasion I had to draw the attention of the Govenment to the poor remuneration of the typists and the copyists and I had to urge on the attention of Government the necessity of putting these establishments on a pay basis. Government held out certain hopes before the stamp duties were revised, and we were assured that if the revised stamp duties brought in more revenue, their remunertion would be increased. To a certain extent their remuneration has been increased, I do admit it—I see the Legal Remembrancer is smiling and he wants probably to catch me napping—I know that their pay has been revised to a certain extent, but the revision made does not remove their grievances. The fact is that Government is making a lot of income out of the fees realised from the sale of the folios. Under that very head the revenue derived from copying fees was Rs. 6,00,000 and from sale of folios Rs. 2,00,000, *i.e.*, Rs. 8,00,000 in all. But after the revision of the price of folios Government is now realising nearly Rs. 10,00,000 a year, in place of Rs. 8,00,000. But to what extent the lot of the typists has been improved? Not to a very appreciable extent, I submit. The figures will show, Sir, that there is not very substantial difference between the actuals in 1925-26 which were Rs. 4,06,000 and the demand for 1927-28 which is Rs. 4,10,000. Of course I anticipate

the Legal Remembrancer will say that the number of typists and copyists has been reduced, and that is also clear, I presume, from the

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reply that was given to one of my questions in March, 1926. In the table appended to the reply I find that the average monthly earnings of copyists and typists have increased to a certain extent, from an average of Rs. 30 to Rs. 32 in 1921 to Rs. 40 to Rs. 42 in 1925 in the case of copyists and in the case of typists from an average of Rs. 55 to Rs. 60 in 1921 to something like Rs. 62 to Rs. 65 in 1925. Of course, from the point of view of remuneration, they have got some increase, there is no doubt about that. But as I have said before, their grievances have not been removed. As they have no fixed pay they cannot look forward to any pension and so even after working for years they have no prospect assured to them. That is their principal grievance. So, I think Government should take into consideration this grievance of theirs and try to remove it. There is no reason why Government should not maintain the establishment of typists and copyists on a pay basis when Government is deriving a lot of revenue from copying fees and sale of folios. I think, Government can afford to maintain an establishment of copyists and typists on a pay basis and Government should not look to making any profit out of the copying fees. If only the copying fees are earmarked for this purpose I think that may be sufficient. I do not know what reply the Hon'ble Member is going to give, but I should like to have a definite assurance from him or rather a definite reply from him why the establishment cannot be maintained on a pay basis and what stands in the way of giving them an assured pay and prospects.

Babu NAGENDRA NATH SEN: Mr. President, Sir, I beg to say a few words in support of this motion. I submit, Sir, that irrespective of the question of profit or loss derived or incurred by Government in retaining this establishment, there can be no reason why the status of these copyists and typists should be uncertain. In the service of the Crown all men have a status, but these typists and copyists enjoy no privilege which a wholetime servant of Government enjoys, but their liabilities which attach to Government service are the same whereas their disabilities are greater. If the copyists are late in their attendance for 3 days they lose one day's earning, and they also cannot claim one month's average earning if they apply for leave. It is true that they have been admitted to the benefits of a provident fund, but it is well-known that they are not entitled to the privileges of the pension fund. Then, Sir, the value of the folios have been increased 33⅓ per cent. and that is another reason why they should be given a certain and definite status. In this connection I beg to submit that the fees for the folios have been unnecessarily raised by 33⅓ per cent. Formerly

each folio used to cost three annas and now it costs four annas. The plea of Government was that the staff of the copyists was maintained practically at a loss, but the figures which have been quoted by Rai Harendranath Chaudhuri and Babu Rames Chandra Bagchi go to show that Government are not working at a loss but making profit. Then there is another consideration, *i.e.*, why the value of the folio should not be reduced. In this connection I should like to draw the attention of the Hon'ble Member in charge of the Department to the difference of cost in obtaining a copy from the Registration Department as compared with the cost of obtaining the same from the Civil, Revenue and Criminal Courts. It will be seen that the cost in the latter departments are very high as compared with the fees which are levied in the Registration Department. It appears, Sir, that because these copyists and typists have not got any definite status nobody cares to take any interest in the selection and appointment of efficient men. I know from my own experience that the writings of the copyists are sometimes not very legible, but as they have got no certain status nobody cares for it and the litigants and the general public who have got to pay for the folios have to suffer. I know from my experience that sometimes even the certified copies are not legible, and I want to draw the attention of the Hon'ble Member of the Department to these things and I think that we are entitled to an assurance from him that the grievances of these typists and copyists will be favourably considered and that they will be given a certain and definite status.

Babu AMARENDRA NATH CHOSE spoke in Bengali in support of the motion.

The Hon'ble Mr. A. N. MOBERLY: In the first place I would point out that according to page 13 of the Civil Budget Estimate the actual receipts in the year 1925-26 amounted to Rs. 8,79,000 and that I presume included fees for copies granted not only in Civil Courts, but also in Criminal and Revenue Courts. In the second place, the previous speakers do not seem to have realised that a considerable part of the increased fees for copies has been devoted to opening a provident fund for the copyists. The question as to whether after defraying the expenses of the provident fund there will be any money left for increasing further the pay of the copyists and typists is under consideration and it will take some time to consider this, because it is not merely a matter for the Civil Courts, but also for Criminal and other courts which are under different departments. It has been admitted that the orders which have been passed have resulted in a certain increase in the earnings of the copyists and typists, and I think that their earnings will be further increased when District Judges and others reduce their establishment to such an extent that each copyist and typist has a full day's work. At present the remuneration is certainly lower in some places

than it should be if the copyists and typists were actually fully employed. I was surprised to hear one speaker say that the result of persons getting only between Rs. 50 and Rs. 60 a month *plus* provident fund is that satisfactory candidates are not forthcoming. In these days of unemployment, I should have thought that there would have been a good many people who would be glad to secure these posts: the work is mechanical but the income is more or less assured. As regards the fitness of these people for admission into the ranks of ordinary ministerial officers I am afraid that even if a qualified man is taken as a copyist his chance of getting into the ministerial service except at an early stage is remote as he will not have had the proper training. Besides these appointments are not made by Government but by the District Judges under the Civil Court Act and when a man has spent the best part of his life on a purely mechanical occupation he is not likely to shine in work which requires other qualities. Lastly, we are asked to consider the question of making these people wholetime Government servants. An estimate has been made for this and it works out to Rs. 14,79,000 recurring: that is to say, Rs. 6,00,000 more per annum than the actual receipts in 1925-26.

Dr. BIDHAN CHANDRA ROY: May I enquire whether the estimate is based upon the existing number of copyists?

The Hon'ble Mr. A. N. MOBERLY: Yes, the estimate is based on the existing number of men.

Rai HARENDRANATH CHAUDHURI: May I enquire whether in arriving at this additional amount of Rs. 6 lakhs the income of Rs. 10 lakhs in 1925-26 was taken into consideration?

The Hon'ble Mr. A. N. MOBERLY: I have taken the actuals. I oppose the motion.

The motion that the demand of Rs. 4,10,000 under the head "24F.—Civil and Sessions Court—Remuneration to copyists" be reduced by Re. 1 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Chakravarti, Babu Jogindra Chandra.
Chakrabortty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gofran, Maulvi Abdul.
Himatsingha, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.

Hussain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.

NOES.

Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
Miller, Mr. C. C.
Mitter, Sir Pravash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Choudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 40 and the Noes 52 the motion was lost.

3-15 P.M.

Maulvi ABUL KASEM: I beg to move that the demand of Rs. 70,02,000 under the head "24F.—Civil and Sessions Courts" be reduced by Re. 1.

The object of this token cut is to draw the attention of the Government to the question of the want of Mussulmans in the Judicial Services. It may look rather bad for me to talk of Muhammadan employment and Muhammadan share in the public services in season and out of season. I myself feel it but at the same time I think that I have justification on my side because the importance, the prestige and the progress of any community in a country depends on various factors—population, education and wealth. But a share in the administration of the country is also an important factor in the position of a community. If you have

wealth, if you have education, but if you have no share in the administration, you are a negligible factor just as the Jews are in many parts of the world. But these are broad questions. I confine myself and I have been asked to confine myself to the class of munsifs and other judicial officers. I have been told and told times without number and told by people who know better that efficiency and not communalism should be the standard for selection in the public services. I agree with them but the only respect in which I differ from them is that efficiency is not the monopoly of a particular class or particular community. I submit that members of my community will be found as efficient and as successful as any other if they are given a chance. I am afraid it is that chance that is wanted, opportunity is wanted and not qualifications that are necessary. I submit this is a matter to which some attention should be paid and if we have to march forward and secure for this country advancement both political and social it is necessary that all sections should advance and on that basis alone if not on any other. I draw the attention of the authorities and more particularly of the House to the want of Muhammadans in the Judicial Service.

Babu AKHIL CHANDRA DATTA: I rise to support the motion moved by my friend Maulvi Abul Kasem but not on the grounds advanced by him. In fact I do not support his grounds and I take the liberty of challenging the grounds on which he has moved his motion. I hate communalism and I hate appointments on a communal basis. I want to take advantage of this motion and discuss the constitution of the Civil Courts and Sessions Courts. It is well known in Bengal that District Judges and Additional Judges are recruited from three sources—the Indian Civil Service, the Provincial Civil Service and direct from the bar. But I think the bulk of the appointments—about 75 per cent., if not more—of District Judges and Additional Judges are made from the Indian Civil Service, and I think I am correct in this statement. I lay down a most uncontroversial proposition when I say that all appointments ought to be made according to fitness. Whatever may be the appointment, it is only the man who is qualified and fit that should be appointed. In this particular case I think I am strictly accurate when I say that District Judges and Additional District Judges recruited from the Indian Civil Service on the day of their appointment are not fit, are not qualified to fill these posts. In fact attempts are made to give them training after their appointment. There is provision for such training, for instance, in Bombay, Burma and the Central Provinces, but not in other provinces. Here in this province there is no sort of judicial training given to District and Additional Judges whether before or after their appointment. The practice is that a Joint Magistrate is appointed a District Judge at once—quite a big jump. We all know that when a Joint Magistrate is appointed a District Judge he is innocent of law and procedure. This arrangement is extremely unfair

not only to himself but also to litigants and others. He is innocent the civil law and I must say that the same remark is applicable criminal matters also. Now what is the position of a Magistrate? I tries petty criminal cases only and the moment he is appointed a D trict Judge he has got to try very intricate sessions cases, and, therefo

3-30 P.M.

he is really innocent of law and procedure on both sides. It should l distinctly understood that I am making absolutely no reflection up those gentlemen because they are not responsible for this arrangeme —the appointments are rather thrust upon them. The system of the appointments is anomalous: absurdity cannot go any further. The gentlemen are appointed to preside over the courts to administer la which they do not themselves very much know. We know the difficul when we have to argue our cases before raw District Judges. We ha to begin from the very alphabets. We have to explain what a decr is, what a *kabala* is, what a *kabuliyat* is. I remember, Sir, one of o District Judges when leaving the district telling us "I have now lear some law but at your cost". (Hear, hear). I am not overdrawing th picture. I shall invite the attention of the House to some observatio on this question made by the Civil Justice Committee of 1924-25 i their report on page 191. They say:

". . . . The defects of this system are obvious. No amou of ability or industry can compensate for the absence of training i civil law and procedure or qualify the Civilian officer at one step to b the principal court of original civil jurisdiction and the principal cou of first appeal in the district. The serious drawbacks of the situatio thus created have long agitated the minds of the Indian authoritie and the Government of India in a letter to the Secretary of State, No. 1 dated, Simla, the 4th July, 1907, recorded their opinion of the situatio in these emphatic terms:—

'It would be difficult to exaggerate the political dangers of th present situation or the importance of effecting a material improvemen in the capacity, training, and status, of the Indian Civil Service Judge It is impossible, at any rate in the advanced provinces, to justify system under which a gentleman, who has no knowledge of civil la and who has never been inside a civil court in his life, can be, and ofte is, at one step, promoted to be a judge of appeal in civil cases and t hear appeals from subordinate judges who are trained lawyers with yea of legal experience. Incompetent men cannot retain their position i the face of a well-founded criticism which is becoming more and mor searching as time goes on. On public grounds it is imperative tha drastic steps should be taken to remove this blot on our administration.' That was the recommendation made in 1907. There is just anothe

paragraph which I cannot resist the temptation of quoting: it is on page 193, and runs as follows:—

"..... The question, therefore, naturally presents itself: what legal training has the Civilian of the present day for the important duties which devolve upon him? The answer, we fear, is somewhat as follows:—

He has read in England the Indian Penal Code, the Code of Criminal Procedure and the Evidence Act. That may be the sum total of his legal knowledge. He need have learnt nothing of the underlying principles of law. He has not even seen the inside of a court. When he arrives in India he is subjected to a desultory and unscientific form of training which consists of learning by heart more Codes and of doing a little practical work. He then takes his seat on the bench where he has to cope with lawyers highly trained in law and endowed by nature with subtlety and ingenuity to an uncommon degree" and so on and so on.

Now, Sir, they proposed a drastic step. The drastic step that was proposed in certain quarters was that there should be no recruitment of District Judges and Additional District Judges from the Indian Civil Service, but no steps have been taken during these twenty years to give effect to that recommendation. Again the policy of drift has been followed in this matter as in all other matters. Of course the Government is not sitting absolutely idle over this matter: they are considering what training can be given to these gentlemen to qualify them for the posts because they are not qualified at the time the appointments are made. Various proposals have been made. One proposal is to extend the period of training for probationers in England. The second proposal is to make provision for study leave for studying law in England —of course "*on very liberal terms*"—these are not my words but of Government despatch. The third remedy suggested is special study at a later stage in England at the Inns of Court or at the King's Inn in Dublin. And for this purpose we have got to pay an advance for fees, first-class bonus for each, and a further bonus for reading in the Chambers, and so on, so that we have got to qualify and train these gentlemen at the expense of the poor taxpayers. Now, I say, why all this trouble? Are not there very competent Indians outside the Indian Civil Service who can be availed of for filling up these offices? We can get better men and we can get them cheaper, but yet you will not have them. Now this is a matter to which I would draw the attention of the Government. Further, there is another matter to which I should like to invite the attention of the Government as well as of this House: it is about the disposal of business in our Civil Courts. I am referring to the circulars enjoining upon Munsifs and Subordinate Judges to dispose of a certain number of cases every month: some outturn, some minimum limit, is fixed—something like that—and they have got to come up to a certain standard, they have got to dispose of a certain

number of cases, that is, a certain amount of work is insisted upon, and it comes to this; quantity is insisted at the expense of quality. It is a vicious system, it is demoralising, and it leads inevitably to an unwholesome competition amongst Munsifs and Subordinate Judges. It is very natural. If there is a circular like that no one would like to be lagging behind and found wanting, and it goes at the very root of the quality of judicial work.

Then, Sir, I should like to make some other observations about the constitution of the sessions courts. These gentlemen of the Indian Civil Service—I repeat that I am making no personal aspersion against them—I say most of them, about 95 per cent. of them—do not understand Bengali. The result is that when evidence is recorded in the sessions court they are quite helpless: they cannot record the evidence unless the pleaders on both sides help them with the result that, if the Public Prosecutor is not very scrupulous and if the defence pleader is absent-minded for a single moment, a lot of mischief is done. Take, another thing, *viz.*, the charge to the jury. Those gentlemen who do not understand Bengali properly cannot address the jurors in the vernacular and in those cases the charge becomes a mockery. The charge is translated by the peshkar who cannot translate it properly, and it goes without saying that the whole effect of the charge is lost upon the jury: they do not get even the spirit and substance of the address and of the observations made by the Judge. Take, again, the case of documents. All our documents are in Bengali naturally, and these gentlemen cannot either understand or read these documents for themselves, so that the present system is absolutely unsuitable to our province. Then, there is the system by which a Subordinate Judge is made an Assistant Sessions Judge without any previous training in criminal work. The result is that Subordinate Judges who have never tried cases under section 352, Indian Penal Code, are asked to try cases under section 302, Indian Penal Code. There are many other anomalies in this very important department of administration. A young Munsif is asked to try the most intricate cases the moment he is appointed after two or three years' nominal practice at the bar.

(The member here having reached the time-limit resumed his seat.)

The Hon'ble Mr. A. N. MOBERLY : Sir, I have to meet different observations from two speakers and my time is short. I, therefore, do not propose to deal at very great length with the speech of my friend Maulvi Abul Kasem because an exactly similar motion was moved last year by Maulvi Syed Sultan Ali and replied to at that time by Sir Hugh Stephenson. Sir Hugh Stephenson explained the position of Government as regards appointments to public services, and he also pointed out, what I think Maulvi Abul Kasem knows very well, that the question of the appointment of Munsifs rests with the High Court. Under section 4 of the Bengal and Assam Civil Courts Act, the High

Court shall nominate persons as Munsifs and the local Government shall appoint them. I may mention, however, that as regards the appointment of Muhammadans as Munsifs there has been some improvement since 1922.

Babu Akhil Chandra Datta has attacked the ancient system under which justice in this country is administered to a considerable extent by the members of the Indian Civil Service. The remarks which he made at the end of his speech regarding the inexperience of subordinate Judges who have to try sessions cases and of Munsifs who have to try intricate civil suits, rather give his case away. At the present moment, I may say that a larger proportion of the officers holding posts of District and Additional District and Sessions Judge is drawn from the the Bengal Civil Service (Judicial) than, I think, at any previous time: so that his point is to some extent being met. It is complained that the Indian Civil Service officers are not specially trained for judicial service in this province .....

Babu AKHIL CHANDRA DATTA : May I with your permission, Sir, point out that it is not my complaint that they are not sufficiently trained; but that is it necessary at all to train them? So my complaint is quite the other way.

3-45 P.M.

The Hon'ble Mr. A. N. MOBERLY : Sir, I was trying to explain that Babu Akhil Chandra Datta stated that in some provinces there were arrangements for training junior Civilians in judicial work. That has been pressed upon us but at the present moment the cadre of the Indian Civil Service is so far below strength that it is impossible to place officers under training.

Then as regards the disposal of business; I think, perhaps the Judicial Secretary would be able to answer the details better, but I may mention to this House that the Hon'ble Judges of the High Court have been going about and inspecting the offices and courts of the various District and Sessions Judges, and I hope that all these points which Babu Akhil Chandra Datta has made will be brought to their notice on the spot and they will be able to devise measures to deal with them.

As regards his observations regarding a circular to the effect that every officer must dispose of a certain number of cases every month I personally know of no such circular issued by the Government. But I shall make enquiries with a view to withdrawing it if one exists because I do not believe in such a system.

I believe I have dealt with all the points and have disposed of them except some of the points regarding the disposal of cases which the High Court is in a better position to deal with.

I hope the hon'ble member will withdraw his motion. Meautime I oppose the motion.

The motion of Maulvi Abul Kasem was then, by leave of the Council, withdrawn.

Maulvi MOHAMED SADEQUE : I move that the demand of Rs. 3,36,000 under the head "246.—Court of Small Causes" be refused (page 96, Civil Estimate).

Sir, the reasons I advanced in case of motion No. 178 which stood in my name will equally hold good in this case also with this difference that in case of *ex-parte* cases in small causes in Calcutta half the court fee is to be refunded. This is another favour shown to the litigating public residing in Calcutta. Sir, the total expenditure under this head is Rs. 3,36,000 and for Calcutta alone Government is spending Rs. 2,61,000 and for the mufassal, the rest of Bengal, only Rs. 75,000. I am told that the Government of Bengal is not concerned for this iniquitous system of taxation—one for the country and another for the area under the Corporation of Calcutta. Sir, when we are financing these courts, I think, the Government of Bengal, in other words this House, must have a hearing in the matter and we must have some hand in removing the grievances of the poor villagers living in the remotest parts of Bengal. If the Hon'ble Member assures us that he will try his best to impress upon the Government of India for the removal of this iniquitous system—one for the town and another for the village—I am ready to withdraw my motion.

The Hon'ble Mr. A. N. MOBERLY : Sir, I do not know very much about the difference in the expenses of litigation in Calcutta and the mufassal. The Calcutta Court of Small Causes is constituted under one Act and the mufassal Courts of Small Causes under another Act. I have no doubt that if litigation is made unduly cheap for suitors in Calcutta the Finance Department will be glad to consider a possible source of additional revenue. But there is one act for Calcutta and another Act for the Presidency town and legislation will have to be undertaken if this suggestion is given effect to.

This motion is for the total refusal of the grant for the Courts of Small Causes and I cannot believe that my friend the mover intends summarily to wipe out these most useful courts. I therefore suggest that he withdraw his motion, otherwise I would oppose it.

Maulvi MUHAMED SADEQUE : The object of moving this motion is to bring it to the notice of the Government that the litigants of Calcutta litigating in the Small Cause Courts have to pay consolidated

ad valorem court fee of Rs. 16 for any sum of any amount while in the mufassal litigants are to pay *ad valorem* court fees on a graduated scale. This brings hardship—the system of taxation is iniquitous and unfavourable to the villagers.

Mr. H. C. LIDDELL : The members remark draws attention to an anomaly which is due to the fact that these courts deal with different conditions and under different Acts. I do not know what is the ultimate object of this question—whether we sanction higher expenses in Calcutta or whether we reduce it in mufassal. I am afraid in one case the High Court has to be consulted and in the other the Finance Department will have to say much.

The motion of Maulvi Mohamed Sadeque was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 10,000 under the head '241.—Mukhtearship Examination charges' be refused (page 98, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 85,02,000 under the head '24.—Administration of Justice (Reserved)' be reduced by Rs. 35,02,000 (page 85, Civil Estimate)."

Babu AKHIL CHANDRA DATTA: I move that the demand of Rs. 85,02,000 under the head "24.—Administration of Justice" be reduced by Rs. 100 (page 85, Civil Estimate).

Sir, my reasons for moving this motion are the same which I have already spoken on the other motion. As that motion has been withdrawn it is necessary for me to move this motion. I wish, however, only to deal with one or two small matters. Litigation has been increasing by leaps and bounds, but the number of officers dealing with the administration of justice remains practically the same. The number has not been appreciably increased. The result is that there is more work in our courts than the Munsifs or Subordinate Judges can cope with. I shall give an illustration. Suppose I have got ten acres of land and I have got ten servants to cultivate it. I purchase another 90 acres but I do not increase the number of servants and I ask them to cultivate the extra land also. The case is the same with our courts. I have been desired by high officials in very responsible positions to bring it to the notice of Government, and I do so with pleasure.

I will also refer to one other matter, namely, the condition of the court houses. The litigants have to pay very dearly for justice and still the courts are not in a better condition. The court rooms are so many pigeon holes, dark and unhealthy, and they have to take shelter

under the proverbial banian tree which is to be found in every mufassal court. During the rainy season the water is not infrequently knee-deep in the court compound. Litigants have to put up with all manner of discomforts. But I maintain that they are entitled to have these remedied because they have got to pay and pay very dearly for the justice which is bought and sold in our courts.

Mr. PRESIDENT: Order, Order! The time-limit is reached and I would put the motion at once.

The motion of Babu Akhil Chandra Datta was then put and lost.

The motion that a sum of Rs. 85,02,000 be granted for expenditure under the head "24.—Administration of Justice" (page 85, Civil Estimate) was then put and agreed to.

The time-limit under the head "24.—Administration of Justice" having been reached, the following motion was not put:—

Maulvi SYED MAQBUL HUSAIN, RAI JADU NATH MOZUMDAR Bahadur and Khan Bahadur Maulvi EKRAMUL HUQ: "That the demand of Rs. 85,02,000 under the head '24.—Administration of Justice' be reduced by Re. 1 (page 85, Civil Estimate)."

25.—Jails and Convict Settlements.

4 P.M.

MEMBER in charge of DEPARTMENT of REVENUE (JAILS) (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 34,16,000 be granted for expenditure under the head "25.—Jails and Convict Settlements" (page 99, Civil Estimate).

This department has been the subject of special enquiries in recent years. The Indian Jails Committee of 1919 submitted their recommendations to the Government of India in 1920. These recommendations were no fewer than 584 in number, many of them involved heavy expenditure while several were very urgent. This Government have been gradually giving effect to these recommendations, and headway has already been made in respect of a considerable number. A Special Committee is now sitting to examine details of several questions. The general policy has been to say in one word—"reformation". Hon'ble Sir Hugh Stephenson in his speech this time last year analysed this ideal thus: (*1*) improving the conditions of the prisoners, both during incarceration and afterwards, (*2*) improving the condition and work of the jail staff, and (*3*) improving the jail buildings.

The first item comes foremost, and within it the most important is separation of different classes of convicts, habituals and non-habituals, youthful offenders and adolescents and so forth. This Council passed an Act in 1922. Under this Act the Magistrate may, instead of sending a youthful offender to jail, direct him, when he is below 13 years, to be detained in an Industrial School, and when between 13 and 16 in a Reformatory School. The Act has been put in force in the town of Calcutta and certain parts of Howrah. It implies that there should be provision of a Reformatory and Industrial School somewhere. In the absence of a suitable private institution of this kind, a part of the Juvenile Jail at Alipore has been converted into a Reformatory School (at present there are about 50 inmates), and an officer of the Education Department has been placed in charge as Superintendent. It is proposed to locate an Industrial School here and when this has been effected the entire institution will be taken over by the Education Department.

(2) This, however, cannot be done till the adolescents have been provided for elsewhere, and till then it is not possible to extend further the Children Act. Adolescents are young prisoners between 16 to 21 years of age. It was decided by the Council last year that an institution on the lines of what is known in England as a Borstal School should be opened. A Borstal Institution is a place where adolescent offenders are detained, instead of being sent to an ordinary jail. They are given industrial training and are subjected to such disciplinary and moral influences as would conduce to their reformation and to the prevention of crime. It will be necessary to pass a Borstal Act and a Bill will shortly be introduced. I will not, therefore, go into further details, but I trust the scheme will be welcome to this Council. It was decided that the Bankura Jail should cease to be a District Jail and that the buildings here should, after necessary additions and alterations, be used for the Borstal Institution. Till the Act is passed, adolescent offenders will be transferred to this place where they will receive special treatment similar to that in a Borstal Institution. The additions and alterations are expected to be completed by April next, and what the Council is now being asked for is to sanction the cost of necessary establishment and contingencies as detailed in the schedule.

The question of separation of non-habituals above 21 from habitual criminals has not been forgotten. The last Council sanctioned the purchase of the Army Clothing Depôt at Alipore from the Government of India. This has been effected, and the site will be available for a new prison for under-trials and possibly also for simple imprisonment prisoners and women if it is decided to use the Presidency Jail mainly for habituals.

We have also taken up the Indian Jails Committee's recommendations regarding the condition and work of the jail staff, and this Council is aware that the position is just now under investigation by a Special Committee presided over by Mr. Justice Pearson. We shall await their report; but in the meantime several items which are imperative have been included in the demands now presented. The separation of executive and clerical functions in the subordinate jail staff has been a crying need and some headway was made last year when the Council sanctioned the appointment of Deputy Jailors as distinct from jail clerks. The scheme needs now further development and it is obvious there must be at least one clerk and one Deputy Jailor in each District Jail. These additions to the staff in the jails and some addition to the staff in the office of the Inspector General of Prisons are also justified on account of increase of work owing to effect having been given to a large number of recommendations of the Indian Jails Committee.

Leaving the jails, the question of employment of prisoners after release is also important. It is, however, a matter which is primarily for the public to take up; but Government should be prepared to grant financial assistance to any institution for the after-care of prisoners. I trust the Council will pass the small amount of Rs. 3,000 just to encourage this philanthropic object.

I will not go into details, but what I have just explained cover the bulk of the increase in the demand for 1927-28 over the current year's grant. The rest of the increase is only due to normal expansion. We propose, however, to instal some up-to-date machinery for blanket-making in the Dacca Central Jail. There is a growing demand in the various departments of Government and outside for woollen goods of this jail, and the new machinery will also give occasional relief to the existing plant, which might break down at any time.

I hope, Sir, I have made the position clear and have been able to convince the House as to the justification of my demand.

The following motion was called but not moved:—

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 27,35,000 under the head '25A.—Jails' be reduced by Rs. 1,00,000 (page 99, Civil Estimate)."

Babu JITENDRALAL BANNERJEE: In the absence of Maulvi Abul Kasem, may I have your permission to move the following motion which stands against his name?

"That the demand of Rs. 27,35,000 under the '25A.—Jails' be reduced by Re. 1 (page 99, Civil Estimate)."

Mr. President, my object in taking on this motion is to initiate a general discussion of the policy of jail administration; and my claim to intervene in this matter is that I have a more direct, first-hand, and perhaps a more extensive experience of jail-life than any body else in this Council. I have been an inmate of these jails for 21 months. not a day less; I have had personal experience of three institutions, *viz.*, the Presidency and Alipore Central Jails and the Berhampore District Jail; and I have been all kinds of a prisoner—an ordinary prisoner, a special prisoner and also a convict officer— a night watchman although I do not think I had ever to keep watch at nights. It may be conceded, therefore, that my experience of jail-life, if not exactly vast is certainly varied; and I am willing to place all this experience at the disposal of the Hon'ble Member.

I shall, at the very outset, try to clear away a very prevalent misconception under which the public mind seems to labour. There is an idea about that these Indian jails are hells upon earth—places of torture and torment unutterable. They are nothing of the sort. Corporal punishment is still inflicted no doubt, but it is inflicted very seldom, and such instances of punishments are neither bloody nor brutal. I know that there are exceptions, and there are some of my friends even here who have, in their own persons, been the victims of the most barbarous forms of punishment—but these are exceptions. Also, there are certain jailors, jail superintendents and even District Magistrates- be it said to their shame who still labour under the mediæval superstition that jails are primarily places of torture and punishment and not asylums for correction as they ought to be. But, as I have said, the ordinary state of things is different. So far as the dietary is concerned, I know that many of my friends are ready with sarcastic expressions about the toothsome character of the *lapsi* or porridge supplied for morning-meal in jails: but, speaking deliberately and with a full sense of responsibility, I should say that the scale of dietary prescribed for jails is sufficient and generous. Also as regards the labour that prisoners are called upon to perform, I cannot say that it is very hard or strenuous—I shall not call it light, but certainly it is not exceptionally heavy. So much may be said about the credit side of our jails. I know that there is a debit side also, but I shall leave it to some of my friends here to talk about that aspect of things. Meanwhile, I have some suggestions to make which, I hope, the Hon'ble Member in charge will take into consideration. I wish to lay emphasis on one point specially—and I am glad that the Hon'ble Member has also referred to it—and that is the necessity for the entire segregation of habitual prisoners. From my experience of jails, I am convinced of one thing, *viz.*, that among jail inmates not more than 10 per cent. so far at least as the Bengal jails are concerned, are criminals by nature. The rest, 90 per cent.

of them, are driven to crime, partly by hunger, destitution, partly in defence of their rights against the incursions of the zamindar, and sometimes, strange as it may seem, from a misplaced spirit of adventure; but, so far as the bulk of them are concerned, the fact remains that they are not habitual criminals, though they are made criminal after a short or long term of imprisonment as the case may be. Therefore, I say, the first necessity of jail administration is that the habituals should be segregated in different prisons. It may be said that this is a large order, but it is not if one sets intelligently about it. If one of the central jails is reserved especially for the purpose of segregating habitual offenders, the thing can be done both easily and economically. But if it is not possible to segregate habitual prisoners in separate jails, I should at least press for another thing and that is the complete separation of habituals from non-habituals within the same jail. There is also another point which must be taken into consideration in this connection, namely, that habitual prisoners should, as far as possible, be confined in cells and not in association wards.

So much for the general policy of administering the jails. I shall now pass on to the internal economy of jail-life and what improvements can be affected there. First of all, what is required is the re-arrangement of the latrine accommodation. This may seem a very small thing, but it is of very great importance, so far as the health and moral welfare of the prisoners are concerned. We, people of Bengal, have certain standards of decency of our own which are very different from standards of decency observed by Englishmen, and our standards of decency—even the standards of the lowest classes among our people—are violated by the stupid system of latrine accommodation that is provided in our jails. It is an outrage on our sense of decency, and once you break down decency, you break down one of the most important barriers in the way of crime. The second thing that requires attention is the provision of better clothing. I do not say that richer stuff should be supplied but clothing of a different type. The *jungiyas* that are now given out are mere strips of loin cloth. I know that in the case of Muhammadans a difference is made and their *jungiyas* reach down to the knees, but that is only justified on religious considerations. I should ask the Hon'ble Member-in-charge to extend the same privilege to all classes of prisoners for the sake of enabling them to maintain such rags and remnants of decency as they may still possess.

Another thing which I wish to suggest—it may seem trivial to people who have no experience of jails but it is of the utmost importance all the same—is the provision of some tobacco for prisoners. More than 75 per cent. of jail offences are due to the

inordinate craving for tobacco on the part of prisoners, and, if you provide tobacco, you put a stop to these crimes.

Maulvi ABUL KASEM: What will happen to jail warders? You want to stop their remuneration.

Mr. PRESIDENT: Mr. Bannerjee, you need not take any notice of these remarks.

Babu JITENDRALAL BANNERJEE: Another thing which jail authorities may take into consideration—this also may seem trivial to people who have no experience of jail life—is the provision of some kind of amusement for prisoners, such as a supply of playing cards. When I came to the Alipore Central Jail for a short time in 1923 I found that a wonderful change had been effected in the jail-life of the ordinary prisoners. Major Salisbury, acting either on his own initiative or upon hints we had ourselves dropped sometime before, had distributed cards among prisoners for playing in the association wards, and there was, in consequence of this innovation, a remarkable improvement in the conduct of prisoners and also in their reconciliation to prison life.

There are certain other points as regard the administration of jails which I should like to suggest. In the first place, I may say that I do not agree with a suggestion made by Dr. Pramathanath Banerjea some time ago. He pleaded for the abolition of Superintendents while I would urge an extension of the system and press for a whole-time Superintendent being placed in charge of each jail—though this Superintendent need not necessarily belong to the Indian Medical Service. My suggestion in this connection is that jailors should be eligible for promotion to the rank of Superintendents. My second suggestion would be for the abolition of the system of convict warders—a system which keeps the door wide open for corruption, oppressin and all sorts of bestial practices. I would ask for the abolition of the whole system.

There is another matter which I should like to suggest in this connection, namely, about the present system of distributing the garden-produce of jails among jail officers, District Magistrates and Civil Surgeons. This system should be abolished altogether. Under the Jail Code it is provided that a portion of the garden-produce should be distributed among jail officers but no provision is made for distributing it among Civil Surgeons and District Magistrates. In point of fact, however, the lion's share goes to these highly paid officials—I do not know why. The whole thing should be abolished and it ought to be made criminal for any Government official to be found in possession of jail produce.

Sir, it is oftentimes forgotten, forgotten not simply by the Government but forgotten even by us, that these inmates of jails are human beings like ourselves. I should appeal to the Hon'ble Member and, through him, to the Government not to treat them entirely as pariahs and outcastes, but to treat them with humanity and compassion and to ameliorate their condition by every means that may be possible.

4-15 P.M.

Babu SARAL KUMAR DUTT: Sir, I rise to support the motion and my purpose in supporting this motion is to bring censure on the jail administration of Bengal. It is really curious that no very serious criticisms have been made on the working of this department since 1923 when Dr. Pramathanath Banerjea raised several points and was assured in reply that the recommendations of the Jail Committee of 1919-20 could not be carried out for want of funds.

Four years have passed and out of 584 recommendations only one or two have been effected in the shape of enactments. It really fails my understanding how Government could be so slow in the acceptance of these recommendations. If Government really means serious business it ought not to treat these suggestions as mere dead-letter. Several times there were enquiries and formation of committees at a tremendous cost but the tardiness in acting upon the lines suggested by these committees shows the reluctance on the part of the Government to move in the line of prison reforms.

Sir, I can assure this House with certainty that the administration of jails in my district has miserably failed. The jail authorities there are going on in an arbitrary manner with impunity. They have ceased to look upon the prisoner as an individual and have conceived of him rather as a unit in the jail administrative machinery. In Bengal, Sir, the purpose of imprisonment has never been reformative; on the contrary exceedingly punitive and sometimes I should say vindictive. I shall be confirmed, I hope, in the statement I make by any one who has had the fortune of having been dragged into a British Indian Jail.

You have all heard of the recent hunger-strike of Barisal prisoners. This is not the first of its kind. It is perhaps the fifth or the sixth time when the prisoners had to resort to hunger-strike. A hunger-strike is not a fun and the prisoners are not so foolish as to indulge in funs when their own lives are concerned. I do not refer, Sir, to petty pin-pricks, the round of refined cruelties and the display of arrogance which the jail authorities show as part of their day's business. But I refer, Sir, to positive acts of violence on the prisoner, acts of violence on his moral sentiments and spiritual nature. I shall refer to Lt.-Col. Mulvany's

evidence before the Jail Committee. The Colonel was an experienced officer and he had to admit that the treatment meted out to prisoners sometimes "outraged his feelings". It really made a sensitive man insane. The result of this inhuman treatment is that when the prisoner gets out, he is not a moral man and becomes either a cynic or a rebel. So my charge against Government is that the jail administration here lacks a human outlook.

I should now pass on to one other matter, the treatment of political prisoners. The report of the Jail Committee entered into a long discussion on the question and dismissed its own argument in the conclusion that the political prisoner is to be treated as any other criminal. I need hardly say that the conclusion is wrong in principle and outrageous to commonsense and sentiment and the opinion of the Central Government on this point was different. I do not know how far has the Local Government carried out the wishes of the Government of India, and I beg to draw in this connection the attention of the House to a few lines in the report made by the Government of India in 1924-25: Here it is stated: "The Government of India after conferring with the representatives of the Local Governments issued general instructions to enable prisoners convicted of certain offences to be accorded special treatment. These instructions, however, apply not only to the cases of men sentenced for offences connected with political movement but to all prisoners convicted of other offences, and it is laid down that each case was to be considered on its merits and the selection of differential treatment might depend on the status, character and education of the prisoner as well as on nature of his offence."

Sir, in civilized countries of modern times this difference between political prisoners and ordinary criminals has been recognised. Since Lord Morley's Chief Secretaryship of Ireland under the third administration of Gladstone, Irish political prisoners received quite a differential treatment than the ordinary criminals. In England too, prisoners of this class receive special treatment. In America also political prisoners are treated with great leniency. But it is only in doomed India, except in the case of State prisoners, *i.e.*, those who are arrested under Regulation III of 1818 or in a few cases may be, this difference is not at all recognised.

In conclusion, Sir, I submit that the time has come for the Government to lay down special instructions for differentiating political offenders from those people who commit crime for personal gain, interest or vengeance giving them better status and dietary. Prison rules ought to follow the development of human psychology and modern national aspirations. Criminology and penalogy must be toed into the lines with the advancing social conditions.

[At 4-20 P.M. the Council was adjourned and it reassembled at 4-30 P.M.]

Babu SURENDRA NATH BISWAS: Sir, I rise to support this motion. My purpose in supporting it is to draw the attention of the Hon'ble Member in charge of the department and of the hon'ble members of this House to the mal-administration of the Jail Department. I would refer to matters in connection with the work that is given in the jails, food, bed and accommodation.

I will first deal with the work that is given. Generally the convicts of good health are given hard work and by hard work is principally meant the grinding of wheat and working the *ghani*, *i.e.*, the machine for making oil. But I submit, Sir, that the amount of such work is given to an individual is too hard for one man to do. My knowledge is that one person is given 12 seers of wheat to grind, but I can say from personal experience that it is impossible for a man to grind more than seven seers. The prisoners are nevertheless purposely given 12 seers and are punished for not being able to do that work. This is the order which is generally followed, I think, in almost all the jails. As regards the *ghani* work I can emphatically say that this is the hardest work imaginable. It is physically impossible for a convict to do the quantity of work that is ordinarily given to him. My friend Mr. J. L. Bannerjee who spoke before me eulogised the Government for good treatment to prisoners but I am sorry I cannot agree with him in this respect. Like him I also claim experience of jail life as I was for 15 months in jail and know something of it. I can dare say that the prisoners are treated like anything short of men. There is a common saying about *ghani* work—the jailor tells the convict—here is the mustard and I want you to get so much oil out of it—it does not matter whether the mustard is good or bad. In any case the jailor must have the required quantity of oil and punish the prisoner when he fails to give the same. Sir, it is simply inhuman and brutal.

Then, Sir, as regards food, I have many complaints. The breakfast is given with *lapshi* which contains mostly dust and particles of uneatable things and is quite unfit for human consumption. This is swallowed by the convicts only because hunger is the best sauce. During my 15 months' stay in jail I could not take *lapshi* for more than one day. Then comes the midday and evening meals. The menu is principally rice, vegetable and *dal*. I shall deal with the vegetables first. Sir, the garden vegetables are as a matter of rule to be given first to the prisoners, then to the officers of the jail and the residue if any is to be sold to people outside. But what actually happens is just the opposite. The vegetables are first distributed to jailors and other officers including the warders and then the best things are sold to the purchasers oustide and the remaining portion which is unfit for human consumption is given to the convicts. In Faridpur Jail, while we were there, the yellow leaves of cabbages and radishes were used to be

given to the prisoners. The quality of food prepared with such yellow leaves is easily imaginable. I can cite one instance in which one cow got sick by eating the food that was prepared with such leaves and she died. I should say something of other articles of food also. Like my friend Mr. J. L. Bannerjee I have no complaint against the dietary of the jail; but what is objectionable is that the ration which is required to be supplied to the prisoners by law is not actually supplied and I can give ample proof that a portion of it goes to the officers of the jail—from the jailors downwards to the warders. Then the remaining portion falls in the hands of the mates—the mates are convicts who have finished half the period of their punishment—being in charge of *khatas*—technical denomination of cooking department—take out the best portion to get tobacco and other necessaries in exchange thereof and then what remains is given to the prisoners. This is a mean corrupt practice connived at by the jail authorities.

So far about the quality and quantity of food articles, now I should like to give the hon'ble members of the House some idea as to the method of cooking the food. In the Faridpur Jail there were about 1,100 convicts including about 550 political prisoners and for these 1,100 persons *dal* was used to be prepared in a *karahi*—I mean a pan—of gigantic size. About a maund of *dal* was put into the pan and some water being poured into it one man was to dive into the pan with his unclean feet and move his legs for some time for the purpose of washing the *dal*. The beauty was that instead of the *dal* being cleansed the dust and other dirty things remained within the pan. Then the pan was to be placed on a *chula* which may be called a *Raban-chula* as it is as big as anything and the whole thing was to be taken down as soon as the *dal* was half boiled. A disproportionately small quantity of oil and spices was then put into a big *hata* to be heated on the said *chula* and as soon as it became a little hot the oil with the spices was to be poured into the half boiled *dal*. Thus the *dal* was cooked. It was impossible for anybody to say whether it was *Musur*, or *Mung*, or *Arahar*. It had a patent taste of its own disagreeable to human beings. The vegetables were also washed and cooked in the same process. And I believe the same process of cooking prevails till to-day. Sir, we, the Bengalees, are not used to taking half boiled things as some of the more civilized people are but our people in jail are forced to eat the same—not only half boiled but unclean articles of food. I cannot conceive of a more cruel and unsympathetic treatment than this.

Then about beds. Bedsheets are only supplied to prisoners in hospitals. I was of course made a special class prisoner after two months and I will not go into the chapter of such prisoners. I shall deal only with the treatment meted out to ordinary prisoners. It is only when a visitor or the Inspector General comes on inspection that bedsheets

are supplied to the prisoners for an hour or so and as soon as the visitor or the inspecting officer goes away they are taken away. No pillow is given to the prisoners and the blankets that are given per head are quite insufficient. Clothing too is insufficient. My friend Mr. Bannerjee has said about *jangias* and I would like to say a few words about the *kurtas*. *Kurtas* are given two per head per annum and they are abnormally short. Much has to be done to improve the clothing and I draw the attention of the Hon'ble Member in chrage to this point.

Then about accommodation. I understand that some prisoners have to be confined in solitary places which are called cells. I was in the Dacca Central Jail where there are many cells. Probably many members have no idea as to the dimension of such a cell. It is about 6 feet in breadth and 10 feet in length and there is no ventilator except one at the top and one door made of iron bars to serve the purpose of both a door and a window. Many of these cells are northfaced—obviously meant for additional punishment. I was put in such a north-faced cell. You can very well imagine how very trying it is to live in such a room during the winter and so I closed the door with a blanket, but one night at about 10 P.M. the Jail Superintendent came and asked me why I had put the blanket on the door and to that I said that I did so as I could not bear the cold. The Jail Superintendent said that I was not entitled to put this blanket on the door as in that case the warder would not be able to see me from outside.

I was told that it offended against the Jail Code and I was not entitled to put up a blanket against the door and must keep it open so that the warder watching me might see me properly. Though the night was very cold I had to obey the order. Then as to the condition of the jail buildings I should say that the buildings which are one storied are ordinarily damp. Yet no wooden nor iron cot is ordinarily given to a prisoner but he is to lie on a blanket only on the floor. Members can easily understand how horrible it is to lie only on one blanket on the damp floor specially in the winter. Sir, this is the treatment meted out to prisoners in Bengal and my friend Mr. Bannerjee has given good compliments to the Government for it.

I had many things to tell you, Sir, but the time is very short so I shall take another opportunity of further speaking about the jail. Now before I resume my seat I shall say a few words about inspection in the jails: Inspections are generally made by Superintendents of Jails who in most cases do not know or understand Bengali. It is the rule that the inspector has to go to every ward at least once a week and has to hear complaints made by the prisoners in course of his round. When the Superintendent goes on round, the prisoners are to tell their grievances, if any, but it depends on the sweet will of the jailor to put up the complaint before him properly.

(Here the member reached the time limit but was allowed one minute to finish his speech.)

I know, Sir, of one instance of an old convict in the Dacca Jail who had wanted mustard oil as he had itches on his person. The Superintendent had granted him mustard oil but the jailor did not supply him with it. On the next day of the round the prisoner complained before the Superintendent that he was not supplied with the mustard oil. The Superintendent asked the jailor what was the complaint. The jailor interpreted that the convict wanted ointment! The Superintendent wrote on his ticket that he should be supplied with ointment. The poor prisoner wanted mustard oil but got ointment! This is the method of inspection, Sir, and this is the nature of treatment of complaints! What I have said, Sir, is all from personal experience. Red-tapism has never succeeded in relieving the sufferings of the weak and it will not help the unfortunate prisoners in jails. The Inspector-General of Prisons and other visitors may do their duty all right but many things are concealed from them and they do not know the things that are ordinarily done in the jail. So I urge for confidential enquiry by the Hon'ble Member in charge of the Department and also by the non-official members of this House. I appeal in the name of humanity for immediate and proper redress of the silent sufferings of our fellow beings groaning behind the prison walls.

With these few words I beg to support this motion.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: When my friend Professor Bannerjee got up with the deliberate object of waiving his hand towards the Treasury benches I must confess I was frightened but soon I found that he was advocating on my behalf practically those reforms which Government have already taken in hand. He has given us his experience—the first hand experience that he has had in the jail, and I am very grateful to him for bringing to the notice of Government the suggestions he has to put forward. I can assure him that I shall on my part place all the suggestions before the Committee that are at the moment sitting and I have no doubt that they will go carefully into these matters. I shall be very glad if Professor Bannerjee will come to my office and see the members of the Committee himself and offer any further suggestions that he has to make.

Mr. Dutt has made recommendations which involve increased expenditure on the reserved side. I am grateful for this small mercy towards the reserved half of Government.

Mr. Biswas has given us an excellent kindergarten demonstration which is largely an exposition of his experience in the jail culinary. He was there for about 15 months and he has given us an account

of the food which was offered him, and has told us how certain food caused the death of a cow with four stomachs although a man with only one stomach survived it. At one time I happened to be a visitor of a district jail. I brought certain defects to the notice of Government and I must say that they were immediately attended to. I have no reason to believe that the Jail Department will take no notice of the reports which are sent up by the non-official visitors of the jails. I can assure my friend that such reports do receive careful consideration and action is taken as funds permit.

Some members have raised the question of garden vegetables. I say at once that the Jail Code rules provide that the surplus of jail products may be given to the officers on payment of the price. This privilege is confined to those cases where there is an excess over the requirements of a jail. Vegetables which are grown in the jail compound must be given to the convicts first. I do not think I need add anything further than what has already been said and I hope that this motion will not be pressed.

4-45 P.M.

Babu JITENDRALAL BANNERJEE: I do not press the motion. I simply wanted to draw the Hon'ble Member's attention.

The motion that the demand of Rs. 27,35,000 under the head "25A.—Jails" be reduced by Re. 1 was then put and lost.

The following motion was called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 34,16,000 under the head '25.—Jails and Convict Settlements (Reserved)' be reduced by Rs. 32,16,000 (page 99, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: I beg to move that the demand of Rs. 34,16,000 under the head "25.—Jails and Convict Settlements (Reserved)" be reduced by Rs. 4,00,000 (page 99, Civil Estimate).

Sir, the question of jail administration has been discussed by previous speakers, and I wish to confine myself only to the financial aspect of it. The total expenditure in the ensuing year's budget under this head is estimated to exceed the expenditure of last year by about Rs. 4½ lakhs and the main sub-heads which are responsible for this expenditure are the charges for establishment, supplies and services, contingencies, charges for the Bengal Ordinance Act détenus outside Bengal, and the Borstal Institution. Now, Sir, the Hon'ble Member in charge of this department has told us that the increase in staff is justified, but he has not mentioned the grounds on which he seeks to justify such increase. The members of this House will, therefore, naturally take a different view of the matter. As regards services and supplies I find that there is an increase of more than half a lakh, and

contingencies show an increase of nearly a lakh. I do not remember to have heard any explanation as to the necessity of these increases. As for the charges for maintaining the Bengal Ordinance Act détenus in jails outside Bengal which amount to no less than Rs. 84,000 and I urge that these détenus be released on grounds of humanity as well as in the interests of economy. Lastly, Sir, I welcome the addition of the amount which is proposed to be spent on the Borstal Institution as I believe it is a move in the right direction.

I desire in connection with this demand to invite the attention of the House to the recommendations made a few years ago by the Retrenchment Committee. That Committee suggested that some of the district jails should be converted into subsidiary jails so that a considerable saving might be effected in expenditure. I do not think much has been done in this direction as yet. Secondly, the Retrenchment Committee suggested that a large number of short-sentence prisoners should be released in the interests of economy and in view of the opinion held by modern advanced penologists. There was a further recommendation made by that Committee which also deserves the consideration of the House and of the Government. This is that there should be a more speedy disposal of cases and a greater readiness to grant bail. The acceptance of this recommendation will considerably decrease the expenditure in the Jail Department and will afford some relief to persons who are not convicts but are merely detained temporarily in custody.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Dr. Banerjea has raised three points, first the increase of establishment, second, the case of the détenus and thirdly the recommendations of the Retrenchment Committee.

As regards the increase of establishment this was sanctioned by the last Council and some re-organisation has been effected. Therefore this expenditure must be provided for.

As regards the détenus, my department is not directly concerned with their release or with the keeping of them in prison. If we have détenus in the jails I must feed them, clothe them, and look after them. If for that no money is provided nothing can be done for the détenus concerned.

As regards the recommendations of the Jails Commission and the Retrenchment Committee, I can say here that some of their recommendations have been accepted and given effect to. I do not know whether my hon'ble friend has seen this list. I would mention just a few of the items. The District Jail at Baraset has been converted into a sub-jail with effect from the 1st April, 1923: the District Jail

at Noakhali has been converted into a sub-jail with effect from the 1st April, 1924: the District Jail at Malda has been converted into a sub-jail with effect from 1st April, 1925. I do not propose to take the House through the whole list.

Dr. PRAMATHANATH BANERJEA: May I know how many district jails have been converted into sub-jails?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: In that case I have got to go through the whole list. If the hon'ble member comes to my office I can give him all the information he wants. As I was saying, some of the recommendations of the Retrenchment Committee have already been accepted. I think I have been able to satisfy my friend and I trust he will be pleased to withdraw his motion.

The motion of Dr. Pramathanath Banerjea was then put and lost.

The following motions were not moved:—

Srijut TARAKNATH MUKERJEA and Rai JADUNATH MAZUMDAR Bahadur: "That the demand of Rs. 34,16,000 under the head '25.—Jails and Convict Settlements' be reduced by Re. 1" (page 99, Civil Estimate).

The motion that a sum of Rs. 34,16,000 be granted for expenditure under the head "25.—Jails and Convict Settlements" was then put and agreed to.

5 P.M.

26.—Police.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,72,25,000 be granted for expenditure under the head "26.—Police" (page 109, Civil Estimate).

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 3,53,000 under the head "26A.—Presidency Police—Pay of Sergeants" be reduced by Rs. 71,000 (page 111, Civil Estimate).

In moving this motion I beg to state that the estimated expenditure on this item in 1926-27 is Rs. 2,82,000. The budget for 1927-28 is Rs. 3,53,000, that is, an increase of Rs. 71,000. The increase of expenditure is due to the increase in the number of sergeants from 138 in 1926-27 to 196 in 1927-28. There should not be any further increase in the number of sergeants. We do not think that there is any necessity for this increase in the number of police officers. Assuming for argument's sake, but not admitting that there is any necessity for the increase of police officers, I beg to suggest that, if necessary,

the number of Indian constables may be increased, but the number of European sergeants should not be increased any further. Police officers are bad enough, European police officers are worse. Uneducated European police officers in India are perhaps the worst possible. They look down upon all Indians. However educated, of whatever social position an Indian may be, in their eyes all Indians are mere natives. (A VOICE: Niggers.) They treat all Indians with great contempt. They are incapable of thinking that an Indian can be respectable. The European sergeants in all the public places—in the gardens, at jetties, in railway stations, on public streets, in crowded thoroughfares—these sergeants are positive nuisances. Sir, it is not a mere conjecture, but a matter of daily occurrence, and every Indian has to face such insults almost daily from these sergeants.

It is sometimes said that the Indians do not co-operate with the police. How can the Government expect that the Indians should go down to the extent of pocketing such insults, and then extend his hand of co-operation to the police. Sir, by bringing down such raw, uneducated, unmannerly persons from Europe and employing them as police sergeants, the Government is fomenting discontent in India. It is not the Indians that are responsible for the discontent in India, but the Government itself, by its unstatesmanlike policy, is responsible for the discontent in India.

Sir, from Sanskrit books, and especially from the Sanskrit dramas, we learn that uneducated রাজ শ্যালক (the Royal brothers-in law, or in other words brothers-in-law of Royal families) were employed as police officers. They were also uneducated, but one word can be said in their favour, that they were Indians and so they understood the language of the people, their social customs and manners. Here we find that these raw, uneducated European sergeants can neither understand the language, nor the customs and manners of the Indian people.

I cannot conclude my speech without referring to two things of recent happening. One is the conduct of the police sergeants during Hindu processions with images of our Gods, and the other is the attitude of police sergeants towards the motor bus drivers, conductors and motor bus owners. They allow the utmost privilege and preference to the motor buses of the Calcutta Tramway Company managed by Europeans, whereas they inflict all sorts of hardship and oppression on the private motor bus owners. For this not only the bus owners suffer, but the public for whose convenience the motor buses are running also suffer much, especially during office hours and rainy season. Sir, I do not want to take much time of the hon'ble members of this House; the matter is of great importance and much can be said on it, but I appeal to them to support my motion for this reduction. It is not a motion for wholesale rejection, but only a motion for a reduction of

Rs. 71,000 for a further increase in the number of police sergeants. With these words I beg to move my motion.

The Hon'ble Mr. A. N. MOBERLY: Sir, public memory is proverbially short, but I was amazed that any member of this House, with any knowledge of Calcutta, should throw mud at the European sergeants. (Hear, hear.) It will be remembered by some members at any rate that when the unfortunate riots of last year broke out, the one force to which everybody turned was the European troops from the Fort. Later, when it was decided to increase the number of sergeants, who, I may mention, are drawn from the ranks of ex-service men and are therefore of the same class as the saviours of Calcutta, and it was impossible to obtain sergeants at a moment's notice, the Army Department lent us a number of private soldiers to take their place and to control the pickets in the streets. The Army Department came to our rescue on that occasion, but that was exceptional, and we cannot look to the Army Department to spare us men whose duties are other than those of serving as sergeants in the streets of Calcutta. It was decided, therefore, to increase the establishment of sergeants in view of what had occurred in April and May last. It was impossible to recruit these men immediately, and for a long time it was very difficult to obtain recruits of the stamp we required. The Army Department, I may say, consider that the pay which we offer to the police sergeants is so low that they are not prepared to recommend their men to enlist. Nevertheless, we have now got a number of men of good character from the Army. It is now proposed to this House that we should scrap this recent addition to the police force. If we do so, we shall not in future be able to borrow private soldiers to work as sergeants during emergencies. The Government of India in the Army Department will say—"you had the force and you threw it away" and they will refuse to lend their men. I beg to oppose this motion, and I trust that all the members of this House, who remember the happenings in Calcutta last year, will also oppose it.

The motion of Srijut Bijay Kumar Chatterjee was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Banerjee, Babu Jitendralal.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Chakravarti, Babu Jogindra Chandra.
Chakravartty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjee, Srijut Tarakanath.
Ray, Dr. Kumud Sankar.
Roy, Dr. Bidhan Chandra.
Roy, Mr. B. N.
Sarkar, Babu Naliniranjan.
Sen, Babu Nagendra Nath.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Choudhury, Maulvi Khorshed Alam.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Eddis, Mr. A. McD.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Haque, Khan Bahadur Maulvi Azizul.
Husain, Maulvi Syed Maqbul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. M.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawia, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Raikat, Mr. Prosanna Deb.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sashe, Mr. P. A.
Sadeque, Maulvi Mohamed.
Sarker, Rai Sahib Rebati Mohan.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 27 and the Noes 60, the motion was lost.

5-15 P.M.

Maulvi MOHAMED SADEQUE: I move that the demand of Rs. 27,70,000 under the head "26A.—Presidency Police—Calcutta Police" be refused (page 111, Civil Estimate).

Sir, my grounds are quite distinct and different from those advocated by my friend, Babu Bijay Kumar Chatterjee. He deplored the presence of European sergeants but I deplore the absence of European gentlemen in this cadre. As has been enunciated by Sir P. C. Mitter, ex-Minister of Bengal, that while he was in a way supporting the conduct of the hero of Ponabalia tragedy in these days of tension and trouble Europeans are the best judges for the situation. Now, my contention for supporting this motion is that almost all the families in the villages pay their contribution to maintain their police in the villages whereas in Calcutta no such contributions are levied within the Calcutta Corporation. Every householder in the village has got to pay the chaukidari tax or the union rate where such boards exist, but the people of Calcutta where the reason for taxation is more cogent are allowed to escape. In England the municipalities maintain their own police but the Corporation of Calcutta does not maintain any such and is not asked to pay anything for the upkeep of the police.

I understand His Excellency the Governor of Bengal assured the Muslims of Calcutta to hold an enquiry into the allegation against some of the Calcutta police regarding the alleged looting of Muslim shops near Taltola thana and the harassment of the Muslim during the Calcutta riots but up till now no such enquiry has been directed to find out the truth of the allegation.

Then again, Sir, additional taxation has been imposed on the people of Pabna to meet the expenses of the punitive police but for the additional police maintained during the riots in Calcutta no such tax was imposed. Rather this burden is going to be shifted on the poor villagers. In other words they are being penalised for the crimes of Calcutta.

The Muslims have been pressing for the increase of the Muslim element in the Presidency police force and though repeatedly assured no step has yet been taken in that direction. The Hon'ble Mr. Moberly has been pleased to fix a date to receive some of us in a deputation to put before him some concrete cases how the Muslim officers are suffering, how their claims are overlooked and how favouritism is rampant in the administration and promotion in the service, and for that reason I refrain from putting specific cases before the House. But it is for that very reason that I have brought out this motion for refusal of the demand. The mufassal assistant sub-inspectors and constables are poorly paid, their pay is below their subsistence level, not to speak of maintaining the families their pay is hardly sufficient to maintain themselves. But in Calcutta the police do not only get fat salary but are provided with palatial buildings. I find everywhere in all the branches of administration that the interests of the officers and people in the mufassal are sacrificed for those in Calcutta. Almost all the revenues under all heads derived by the Government of Bengal are studiously reserved for the peace, prosperity and happiness and embellishment of Calcutta and Calcutta people. The Presidency police force is no exception to this rule. If the Hon'ble Mr. Moberly assures this House that Government will try to adjust things in future I am prepared to withdraw my motion.

The Hon'ble Mr. A. N. MOBERLY: The mover has raised three or four points. The first is that because people in the mufassal pay chaukidari tax the people of Calcutta should pay for the Calcutta Police. I would remind the mover that the dwellers in the municipalities in the mufassal do not contribute towards the cost of the local police. The Calcutta Corporation is treated as a municipality and not as a rural area.

The next point is as regards the alleged harassment of Muhammadans during the Calcutta riots. That, Sir, has been threshed out in this Council before and I think, Mr. Birley mentioned that every case brought to notice was investigated.

The third point is that the Muhammadan community is not sufficiently represented in the ranks of the Calcutta police. My friend has also mentioned that he wrote to me some time ago and asked me to fix a date on which he and his friends might come and talk to me about this subject. When they do so I shall be glad to explain the position. I fixed last Monday but unfortunately my letter did not reach him in time. I hope, however, to see them within the course of the next few days.

The last point which he has raised is about the question of housing accommodation. That question has also been threshed out in this Council and it was shown that it was cheaper for Government to build houses than to pay large rents which are ever on the increase. Government now know their commitments in the matter of rents which they did not know before.

My friend said that he would withdraw his motion if I answered these points. I have done so and I hope he will withdraw his motion.

The motion of Maulvi Mohamed Sadeque was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 27,70,000 under the head '26A.—Presidency Police—Total Calcutta Police' be reduced by Rs. 70,000 (page 111, Civil Estimate)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 32,86,850 under the head '26A.—Presidency Police' be reduced by Rs. 8,43,000 (page 109, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: I move that the demand of Rs. 32,86,850 under the head "26A.—Presidency Police" be reduced by Rs. 2,00,000 (page 109, Civil Estimate).

Sir, if on no other ground I would urge this reduction simply on the ground that the police which proved itself hopelessly inefficient throughout the last year does not deserve to get a single pice more than what they used to get before. This time, Sir, we find that the Government has come forward with an increased demand of Rs. 2 lakhs. What right has the Hon'ble Member in charge of this department to demand a single pice more on account of this item I do not understand. In connection with the previous motion, Sir, he has referred to the shortness of public memory. I assure him that public memory in this country is not short at all. It has not forgotten the hopeless inefficiency of the police during the last Calcutta riots, it has not forgotten how in spite of the sergeants, the bodyguards, the Deputy Commissioners, the Commissioner of Police and the whole lot of fat-salaried officers they could not prevent rioting. The public have not forgotten that the

Government were fiddling at Darjeeling while Calcutta was burning under communal conflagration. The public have not forgotten so soon, Sir, that in previous years the Government justified high expenditure on police just on the ground of meeting such emergencies in the matter of protecting the lives and properties of the people. Last year they abdicated that function and after abdicating that function and after proving themselves inefficient they have come forward now to get more provision for the Calcutta Police.

Adjournment.

Mr. PRESIDENT: Order, order! We have to adjourn the Council now. Mr. Rai Chaudhuri will be given an opportunity to resume his speech when the Council meets next. The Council stands adjourned till 10-30 A.M., on Saturday, the 19th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 19th March, 1927, at 10-30 A.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 101 nominated and elected members.

Starred Questions

(to which oral answers were given).

Grant for Muhammadan hostel in Nadia.

*52. **Khan Bahadur Maulvi AZIZUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether there has ever been any grant sanctioned for the construction of any Musalman hostel in the district of Nadia?

(*b*) If so, will the Hon'ble Minister be pleased to state the amount of the grant and the year of sanction?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): (*a*) A scheme for the construction of a Muhammadan hostel for the Krishnagar College at an estimated cost of Rs. 14,100 was only administratively approved by Government in June last. No funds could be allotted.

(*b*) The answer to (*a*) above also covers this question.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister in charge of the Department of Education be pleased to state as to who decides the comparative importance and urgency of the schemes?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I am not aware of it.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state if the Government expect to be able to allot any funds in the course of the next year, *i.e.*, in 1927-28?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: That I cannot say.

Tour by Assistant Director of Public Instruction for Muhammadan Education.

*53. **Khan Bahadur Maulvi AZIZUL HAQUE:** Will the Hon'ble Minister in charge of the Department of Education be pleased to state the number of days spent on tour by the Assistant Director of Public Instruction for Muhammadan Education during the present financial year and the places visited by him?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: The Assistant Director of Public Instruction for Muhammadan Education spent 61 days on tour during the current official year and visited the following places:—

(1) Midnapore.
(2) Bankura.
(3) Matiabruz.
(4) Suri.
(5) Bolepur.
(6) Surul.
(7) Dhanbari.
(8) Dacca.
(9) Chittagong.
(10) Kutubdia.
(11) Sanua.
(12) Halisahar.
(13) Barabkundu.
(14) Sitakund.
(15) Serajganj.
(16) Pabna.
(17) Bogra.
(18) Hooghly.
(19) Malda.
(20) Krishnagar.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state if it is a fact that the Assistant Director of Public Instruction for Muhammadan Education visited Krishnagar after I had sent in notice of this question?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I do not know.

Unstarred Questions

(answers to which were laid on the table).

Dissolution of managing committees of aided high English schools, any rules for.

122. **Kazi EMDADUL HOQUE:** (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether there are any rules for the dissolution of managing committees of Government aided high English schools?

(*b*) If so, will the Hon'ble Minister be pleased to lay copies of those rules on the table?

(c) Will the Hon'ble Minister be pleased to state who is the proper authority to be approached for the relaxation of the rules under circumstances when such a relaxation is deemed necessary?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: (a) There is no specific provision in the rules for the dissolution of managing committees of Government aided high English schools before the expiry of a term of three years.

(b) In view of the answer to (a), no answer is called for to this question.

(c) The Department of Public Instruction is the authority to be addressed in any case where a relaxation of the grant-in-aid rules is required.

Proportion of literate among Hindus and Muhammadans.

124. Mr. ANAHDA MOHAN PODDAR: Will the Hon'ble Member in charge of the Department of Revenue (Jurisdiction) be pleased to lay on the table a statement for the year 1925-26, showing—

(i) the proportion of literates among the Hindu and Muhammadan inhabitants of Bengal; and

(ii) the proportion of persons who have received University education among the Hindu and Muhammadan inhabitants of Bengal?

MEMBER in charge of DEPARTMENT of REVENUE (JURISDICTION) (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (i) Statistics for 1925-26 are not available. Those in the last census report gives the proportion of literates 29 (Hindus): 13 (Muhammadans).

(ii) 26,565 Hindus and 4,285 Muhammadans.

Bhuluaya Estate.

125. Maulvi MOHAMED SADEQUE: Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(i) how many of the patni taluks under the Bhuluaya Estate were advertised for sale for arrears of *Chait kisti* of 1332 B.S. in the month of *Jaisth* 1333; and

(ii) how many of them were saved from sale by tender of arrears through under-tenure-holders, including mukarari tenants under the patnidars?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (i) 1,105.

(ii) 26.

Tôls and grants thereto.

128. Babu NAGENDRA NATH SEN: With reference to the reply given to unstarred question No. 41 on the 23rd February, 1927, will the Hon'ble Minister in charge of the Department of Education be pleased to state whether Government are considering the desirability of increasing the number of tôls and also the amount of grants thereto?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: The Sanskrit College Committee appointed by Government to report among other things on the working of the existing tôls and to offer suggestions as to what improvements can be made in their working submitted their report in October last. The report is now under the consideration of Government. Government have provided for an additional sum of Rs. 3,000 in the next year's bugdet for new and increased grants to tôls.

Motion for adjournment.

Babu ROMES CHANDRA BACCHI: Sir, I want to move an important motion for adjournment of the House.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri of Santosh): Will you hand over the statement with my written consent?

(The statement was then handed over to the Hon'ble the President).

Mr. PRESIDENT: I have given my consent to Babu Romes Chandra Bagchi to move a motion for the adjournment of the business of the House. It runs thus:—

"I move that the business of the Council be adjourned for discussing a definite matter of urgent public importance of recent occurrence, namely, the action of the District Magistrate of Malda in stopping on the 8th March last, at Malda, the worship of the image of their goddess Kali by the Hindu Santhals of the district and by ordering under section 144, Criminal Procedure Code, the Santhal Guru, Babu Kasishwar Chakravarti, to leave the jurisdiction of the said district."

Leave has been asked to move this motion and it is up to the Council to signify its assent or otherwise.

The Hon'ble Mr. J. DONALD: Sir, I object to leave being granted by the House to taking up this motion at this time of budget discussion.

Mr. PRESIDENT: Will those who are in favour of this motion being taken up rise in their places?

As the number of members who were in favour of this motion was less than 30 leave was refused.

GOVERNMENT BUSINESS.

Demands for grants.

26.—Police.

Rai HARENDRANATH CHAUDHURI: Sir, I was telling you the other day, in reply to the Hon'ble Mr. Moberly's allegation, that the public did not suffer from any such incapacity. On the other hand, the public know and still remember that in spite of their costly equipment and vaunted efficiency, in spite of their being armed with all the powers conferred on them by the Goonda Act and the Emergency Security Act, they could not maintain order, preserve peace, prevent bloodshed and avert the appalling loss of innocent lives in the streets of Calcutta during the last riots. Let it not be understood, Sir, that I am holding the police responsible for the riots. I know it, as many of us on this side of the House are prepared to acknowledge, that whatever may be said of the Government, the police at any rate was not responsible for those causes, those immediate causes I mean which led to these riots. But when the tension of feeling grows and the riot continues to prevail the police has certainly got to perform certain obvious duties. So far as the Calcutta riots are concerned the public is of opinion that had the police taken vigorous steps in the early stages of the riots, the riots would not have been protracted so long and Calcutta would have been spared the horrors of a mob rule for so long a time. That being the public opinion, Sir, I consider it my duty to refuse the increased demand for Rs. 2 lakhs that is being made now for the Calcutta police. I say increased demand, because if the Hon'ble Member will be pleased to refer to the provision for 1922-23, he will at once see that the amount which we are going to refuse is exactly the amount by which the budget provision for 1922-23 for the Presidency police was going to be increased at that time for next year.

I am now going to explain the relevancy of my reference to the figures of 1922-23. Not long ago, Sir, the Retrenchment Committee

was called upon by Government to frame their recommendations as to whether assuming the necessity of the maintenance of tha present services and functions, the Presidency police could be maintained at a lesser cost. The Retrenchment Committee after going fully into the question recommended a net reduction of Rs. 8,13,000 from the budget figures for 1922-23. The Government did not accept that recommendation of the Retrenchment Committee; they were not prepared to accept any retrenchment covering more than Rs. 80,000 or so and why? because, the Government took up the position at the time that such a heavy cut in the Calcutta police budget will lead to the inefficiency of the police and therefore to keep the Presidency police in a proper state of efficiency such a heavy cut as was recommended by the Retrenchment Committee could not be made. How did the police, Sir, stand the test? I submit, that all the alleged efficiency of the Calcutta police broke down at the very first test. That efficiency which was made the ground for not accepting the recommendations of the Retrenchment Committee could not stand the test of the first great riot. That being the case, Sir, I think, Government cannot now come forward with a demand to provide Rs. 2 lakhs more for the Presidency police. The Hon'ble Mr. Moberly in reply to a previous motion said that the increased establishment, at any rate so far as the sergeants are concerned, has got to be maintained. I cannot understand, Sir, why must it be maintained not on a peace basis but on a riot basis? Is it because that there was a riot last year that the police budget should be increased permanently by the addition of Rs. 2 lakhs? If the

10-45 A.M.

Government is not prepared to reduce the expenditure on the Presidency police by so much as was recommended by the Retrenchment Committee certainly the Government should not be allowed to exploit the riot and make a further and permanent addition to the police budget.

With these few remarks I commend my motion to the acceptance of the House.

Dr. J. M. DAS GUPTA: Mr. President, Sir, I rise to support the motion that has been brought before the House by my hon'ble friend Rai Harendranath Chaudhuri just now. Sir, in giving our consent to any demand like this we, as representatives of the people, must feel satisfied that the Calcutta Police really does exist for the benefit of the people of Calcutta. My friend has referred to the last Calcutta riots; I also, Sir, like many others had the misfortune to see the things that happened during these riots from day to day and one of the most sorry spectacles that I ever saw in my life was that a large number of police men both European and Indian were standing more or less like statues during the first few days and when questioned as to why they did not take any steps to deal with the rioters, the invariable

answer was that there were no instructions issued to them to do so. Sir, we as representatives of the Congress thought that a great calamity was coming on us, and we were trying our level best to alley the mischief, and my friend Hadji Abdur Rashid Khan, who was a member of this Council during the last three years, and myself went about from place to place and questioned practically any police officer, European or Indian, we could meet—we never got an answer that the situation was too much for them to cope with or anything of the sort—but the invariable answer, as I have already told you, was that there were no instructions issued from the higher authorities to take any definite steps. Sir, there was a time when the people in this country really believed in the words "British Justice", but to-day I can assure you that there is not a single Indian individual who believes in these two words "British Justice". But every one did really believe that there was some truth in the words "The mighty arm of Britain", but, Sir, what we have seen during the recent riots has been an eye-opener to us. Does the Hon'ble Member really want us to believe that for an organisation like the police from whom nothing is hidden it was not possible to know who were the ringleaders in these riots both among the Muhammadans and the Hindus? But, Sir, when secret things about Mr. Subhas Chandra Bose or Babu Satyendra Chandra Mitra have to be found out they always do find out these secret evidences and secret truths. But when it comes to definite things like riots which can never happen without ringleaders both among the Muhammadans and Hindus, then the police and the Government are unable to detect them or take any precautionary measures. What did they do? After the whole mischief was done they externed a number of so-called *goondas*—the people who were merely tools in the hands of brains behind—and they were sent to their provinces and there to spread the virus and the trouble that they took with them from Calcutta. That is the thing that happened at Pabna, Dacca, Barisal, Kushthia and other places. Not only that, Sir, we, as the ordinary people of the city, had our suspicions and we tried to take precautions against the things that were happening, and Government also I cannot say did not give expression to their suspicions altogether, for in the report of the last Commissioner of Police there are definite references to a certain gentleman who now appears to have been rewarded for his complication in the last riots and now enjoys the significance of the Ministerial chair. After the happening of these things how can the Government expect that the representatives of the people of the city can really give their assent to a grant to the police which I do not say is inefficient, but which certainly is not always utilised for the good of the people, but which seems to be kept up for a definite purpose which may not be to give protection to the people of the city. With these words I raise my voice against the grant of this particular sum.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): Sir, I am afraid, the mover of this motion is somewhat misled by the figures on page 109 of the budget. It is quite true that the original estimate for 1926-27 was Rs. 32,43,000 and the estimate for 1927-28 is exactly Rs. 2 lakhs more, but during the July and August session the Council voted an extra sum which brought the provision for the Presidency police for 1926-27 up to Rs. 34,79,000 which is more than the budget amount for 1927-28.

The question of the action of the Calcutta police during the Calcutta riots has already been discussed threadbare in this Council and I do not think that members will expect me to reopen that discussion. What I may say is this: that after the first riots in April, the arrangements of the Calcutta police were gradually improved and I think, that members will agree that the way in which the later riots were handled showed a very distinct improvement. (A VOICE: What about the Mohurrum disturbance?) The Mohurrum disturbance was very much better handled than any previous disturbance because arrangements had been made in the meantime and I think both sides—Hindus and Muhammadans—will admit that. Sir, I oppose the motion.

The motion that the demand of Rs. 32,86,850 under the head "26A.—Presidency Police" be reduced by Rs. 2,00,000 was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Pramatha Nath.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Khan, Babu Gobendra Lal.
Maitra, Srijut Jogendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Dr. Bidhan Chandra.
Ray, Mr. Kiran Sankar.
Sarker, Babu Nalinirenjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahamed, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Bilkha, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamka.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhaka.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. G. S.
Donald, the Hon'ble Mr. J.
[illegible], Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Laird, Mr. A. S.
Leicester, Lieutenant-Colonel J. C. N.
Liddell, Mr. H. C.
Lindsay, Mr. J. N.
McCluskie, Mr. E. T.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Orsich, Mr. J. E.

Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 23 and the Noes 44 the motion was lost.

The following motion was called but not moved:—

11 A.M.

Babu NALINIRANJAN SARKER: "That the demand of Rs. 32,86,850 under the head '26A.—Presidency Police' be reduced by Rs. 100 (page 109, Civil Estimate)."

Maulvi TAMIZUDDIN KHAN: Sir, in the absence of Maulvi Abul Kasem, may I have your permission to move the motion that stands in his name?

Mr. PRESIDENT: Yes, you have my permission to do so.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 32,86,850 under the head "26A.—Presidency Police" be reduced by Re. 1 (page 109, Civil Estimate).

I would like to offer a few remarks in placing this motion before the House. Previous speakers on the same subject have dealt with the mal-administration of this department in its various branches. I propose to draw the attention of the Government and this House to a few of the outstanding popular grievances against this department.

The head of this department, the Commissioner of Police, is a European officer of high repute and naturally enough the police administration of Calcutta under his guidance may be taken as a model of British efficiency. It is under his efficient administration, Sir, that the various gambling dens are carrying on a most flourishing business, that the dealers in cocaine are carrying on their nefarious trade without let or hindrance, that the pickpockets are getting on as merrily as ever and that the lives and properties of the citizens are periodically thrown at the disposal of the *goondas*. Are we to suppose, Sir, that these criminal practices are carried on in the dark and the poor police is simply helpless? What can they do unless the commission of these crimes is known to them? Such a plea if adduced would itself be a sad commentary on the detective capacity of the police. But, is the commission of these mal-practices really unkown to the police? Are they ignorant of what almost everybody else in Calcutta knows? Instead of hazarding my personal opinion let me quote here the opinion of a reputed Additional Chief Presidency Magistrate as expressed in his

judgment delivered in the case of Emperor *vs.* Dhirendra Nath Das, dated the 13th January, 1925. In the course of his judgment the learned Presidency Magistrate says:—

"I desire to make some observations regarding the cocaine traffic in Calcutta. I try a large number of these cases (in the past two months I tried about 40) and I am driven to the conclusion that in certain parts of Calcutta cocaine is sold practically openly. There is not the slightest precaution taken by the seller to whom he sells. Again and again the buyer when questioned expressed surprise at being questioned how he bought it. 'I had toothache, I bought the cocaine to cure the toothache.' Apparently there is not much more difficulty in securing cocaine than there is in buying *pan*. A system has grown up of the cocaine dealers employing the scum of society to sell for them. The seller is given a few packets and when he has sold them he returns for a fresh supply..... The middleman and the wholesale cocaine dealer are perfectly well-known. Their names are frequently mentioned in my court. There should be no detective difficulty in shadowing the petty vendor and finding the middleman from whom he gets the supplies, nor should there be any difficulty in shadowing the middleman when he gets his supplies from the wholesale dealer. During the last 9 months I have had only one case in which cocaine has been seized in any quantity. The effects of the horrible drug are well known. Apart from completely ruining the health, cocaine undermines all moral sense. When all moral sense goes it is but a short step to crime."

Sir, the language is clear enough to show that the traffic is carried on quite openly and with the connivance of the police. Similar must be the case with the various kinds of gambling which have assumed dangerous dimensions and are working havoc upon the morals and coffers of the taxpayers. Sir, can there be a more glaring instance of mal-administration, a more glaring instance of inefficient supervision, a more glaring instance of police demoralisation than this? The Commissioner of Police is after his dear hobby of the quest of the phantom revolutionary and he has scarcely inclination or time enough to look after these minor matters. The attention of the Government has on more occasions than one been drawn to this deplorable condition of police administration and some remedial steps have no doubt been taken. But what is needed is a wholesale and drastic re-organisation of the whole system, a thorough overhaul without which the system in its present rottenness cannot be placed on a sound basis.

Sir, I shall not refer to the recrudescence of periodical riots which occur under the nose of our efficient administrators, or to the efficient manner in which these riots are dealt with, as several of my hon'ble friends have already placed them before the House. I would only refer to one more point before I resume my seat. In this all-round efficient

administration every blessed soul is endowed with an extraordinary degree of efficiency save and except those that profess a particular creed. I would not name this class for I would then be branded as a communalist by those of my hon'ble friends who hate communalism from their vantage positions of monopoly in the various departments of public life and public service. I am glad to find, Sir, that University education is not put forward as a plea of efficiency in this department as everywhere else, apparently because there are so many wise men in this service, who have not taxed their brains much while in the lap of the *alma mater*, and also because the inefficient people in this department of whom I am speaking are not educationally as backward as they ought to have been. Such being the case it is in the fitness of things that—to speak only of a few out of numerous instances—a sub-inspector belonging to the efficient class standing 40th in the gradation list is found to jump into inspectorship superseding inefficients of far greater educational qualification, and a matriculate of the former class is found to supersede a law graduate of the latter. Sir, there are some 110 sub-inspectors and 60 inspectors in the service out of whom scarcely three dozen and one dozen respectively belong to the creed of the inefficients and there are 10 assistant commissioners and 7 deputy commissioners of whom, rightly enough, none is drawn out of that unnamed class. This is an instance of communal justice and communal balance not at all inconvenient for the haters of communalism, and down with the communalist who dare to raise his voice of protest against this excellent arrangement! It is for the Government to consider how long it will allow this state of things to continue. The Hon'ble Mr. Moberly in his reply to a speech on another motion on the same subject said the other day that the situation in this respect has of late improved to a certain extent. We are thankful for what little has been done, but we must remind the Government that little doles like this cannot satisfy a community gradually awakening to the sense of justice of its claims.

Srijut BIJAY KUMAR CHATTERJEE: Mr. President, Sir, I beg to support this motion and my reason for doing so is our strong disapprobation of the policy of the Government as regards police administration in Bengal. Sir, the other day speaking on another motion for reduction the Hon'ble Mr. Moberly, one of the representatives of the Board of Trustees of the Indian Trust Estate for the benefit of England, has reminded us that we are suffering from short memory. Sir, I admit the charge that the Indians are suffering from short memory. Otherwise it would have been impossible for the Englishmen to govern India in the way in which they are doing. Sir, I admit the charge that the Indians are suffering from short memory; otherwise the present policy of the Government would have been impossible. Otherwise the continuance of the present zamindari

of the English people in India would have been impossible. Sir, the reason why the Indians have slided down to such impotent serfdom is that they have got short memory. Sir, after 150 years of British rule in India, the Hon'ble Mr. Moberly wants to remind the people of India who are suffering from short memory, that European police and European soldiers are necessary for preserving peace in India. Sir I cannot conceive of a more shameless proposition from any member of a Government which claims to be civilised. But, Sir, it is quite consistent with the Divide and Rule policy which the Government has adopted for the protection and continuance of the Trust Estate in India for the benefit of English people. Sir, we have been told that the present police force in the Presidency of Bengal is inadequate to prevent Hindu-Muslim riots. Sir, it seems to us strange that the Government can find sufficient number of police officers, to detect how young Bengal is moving, speaking, laughing, staring, or breathing, it can find sufficient number of police force to find out sedition and bomb in every Indian home, but it is strange that during the last riots in Calcutta, the Government could not find any police or military officers to protect the lives and properties of the peaceful citizens of Calcutta and mufassal. The Government can find sufficient police force to find out anarchy and plot in every Indian home, but it cannot find any police or military force to detect the open plot made for the burning of all Hindu homes all along the Central Avenue. Sir, the Government can find out Subash Chandra Bose and Satyendra Chandra Mitra, ringleaders of bomb-manufacturers, but it cannot find out the ringleaders of the Calcutta and mufassal riots. In 1921, before the visit of the Prince of Wales, the whole of Calcutta was full of military and police, and the sale of a small piece of *khaddar* was made a criminal offence, and the military and the police in the exuberance of their duties even went so far as to arrest Mrs. C. R. Das and some other ladies, but in 1926 the Fort William in Bengal became empty, the Lalbazar and other police garrisons became empty, the whole police and military force disappeared as if under the influence of a magic wand. Sir, the Indians may have slided down to a state of impotent serfdom, they may have been suffering from an attack of short memory, but they have not yet become such fools as to swallow the theory of trusteeship in India, or to imagine that the present system of Government is for the benefit of the Indian people. Sir, the dispute between the Hindus and the Mussalmans and the attempt at arbitration by the English people, reminds me of the story which we read in our school books about the dispute between two cats. Once upon a time two cats found out a store of food, but they could not agree how to divide the food between them. A monkey was seated on the branch of a tree nearby. He came down and volunteered to settle the dispute by dividing the food equally between the disputants. Sir, the monkey brought in a scale and sat on arbitration. He put two

unequal portions of the food on the two sides of the scale and actuated by pure benevolent motives like our present rulers, ate up a portion of the food from the larger share just to equalise the two shares, but of course he could not be exact, and the portion which was formerly excessive now became deficient. So he was compelled to eat up a portion of the other share. In this way he went on in his selfless and philanthropic task of arbitration. Sir, the English people are sitting on an arbitration in the disputes between the Hindus and Mussalmans and they will continue to sit on this arduous task of arbitration till the wealth of India disappears, till India meets with her destruction. After 150 years of British rule the Government cannot find any police for the prevention of riots. That is a sign of weakness which is undermining the foundation of a stable Government.

With these word I beg to support the motion.

Mr. C. C. COOPER: Sir, I fail to understand the speech of the hon'ble member who has just spoken on the question of short memory. I do not know whether the hon'ble member was in the last Council. If he was, I cannot acquit him of the charge of not having a short memory, because it is well within my memory and I think it will be within the memory of those members of the last Council that when the question of the police extra force came up for discussion in this House, from every side there was a general praise for the Calcutta Police for the work which they did during the riots, especially in regard to the European sergeants, for whom everyone of all parties had the highest praise for the work they did in helping to restore law and order. It is therefore somewhat surprising to find that in this new Council not a word is said for the very good work done by the sergeants.....

11-15 A.M.

Dr. BIDHAN CHANDRA ROY: May I enquire of Mr. Cooper if he remembers that these events happened after the persons on this side of the House had moved out of the Council last year?

Mr. C. C. COOPER: On this point they could read the reports of the Council meeting and also the reports in the press both vernacular and European—where they were fully reported. On the point of increased expenditure the old argument has been used over and over again that the police in Calcutta were inferior and inefficient and therefore they were not fit. The pay of the police has gone up and with it there has been a corresponding increase in their efficiency. If you want to get good men you have got to pay for them not only in the police but in all walks of life. Of course there will always be unfortunate incidents but such incidents are not confined to the police, yet isolated incidents do not detract them from the very difficult and arduous work the police has got to do in this country!

A charge made by a member the other day against the police sergeants was their rude and overbearing manner, but I do not think it is fair to make such general charges against them. Personally, I do not believe them. The police have a very difficulty and arduous task to perform and, taking it as a whole, I think they deserve the praises and not the curses of this House. With these words I oppose the motion before the House.

Babu PRABHU DOYAL HIMATSINGKA: I want to raise my voice against the consistent policy of the Government and of the police of interference with the rights of the Hindus. Ever since the riots of April last they have consistently been following the policy of curtailing the rights of the Hindus. I do not admit that the police have the power of restricting the rights of the citizens to conduct themselves in the public streets. Even assuming that they had the right, the police have laid down certain hours during which they have restricted processions in a particular manner. What justification can there be then to go beyond those restrictions? Have they any justification for further restricting or curtailing the rights of the Hindus even though the Hindus are prepared to abide by the regulations laid down by the police, whether these regulations are right or wrong? I am referring to the incidents that happened since April, 1926. There have been numerous occasions on which processions have not been allowed by particular routes simply because of the existence of one or two mosques on those streets. I am referring to the processions on the occasions of the Durga Puja, the Kartick Puja and Kali Puja and on various occasions since April last. We have been told times without number by the police and by the Government that they are not interfering with the rights of the Hindus. On an occasion of excitement the action of the police in a particular manner may be justified but what justification can there be for restricting the rights of citizens in ordinary times? After Sir Charles Tegart had taken charge, during the Saraswati Puja, we were told that there would be no restriction and that processions would be allowed to pass if they conformed to the regulations laid down by the police, but what did we find? Processions without music were allowed to pass along Harrison Road and other roads but no procession with which there was any kind of musical instrument was allowed to pass those streets in which there was a single mosque. Such processions were diverted to roads which were not the natural way and which the processionists did not want to take. When protests were made by professors and other gentlemen they were assaulted and mercilessly assaulted, the images were broken and mutilated by the police and subsequently taken for immersion by the police. That is the way the police have shown their efficiency in managing the processions in Calcutta. During the Muharrum festival—I am referring to certain incidents which will

show how efficiently they managed the affairs. I am referring to the report of the Commissioner of Police published in the *Calcutta Gazette* on the 28th October. I will read only a portion from that report:—

"The most disquieting incident of this character occurred on the night of the 20th July, when the doors, windows and other combustible portions of a block of houses bounded by Central Avenue, Nilmadhab Sen Lane, Murali Dhar Sen Lane and Krishna Behari Sen Lane and the walls of the houses up to a distance of over two feet from the ground were drenched with oil. These premises are occupied almost entirely by Marwaris and Bengali Hindus and there seems little doubt that the oil was placed there by Muhammadans with the object of setting fire to the houses by throwing down a torch during the passage of a Mohurrum procession.

"Oil had also been freely poured on the lanes which bound three sides of the buildings, evidently with the intention that the blazing roads would not only prevent the escape of the inmates of the burning buildings but would also delay the Fire Brigade in entering the lanes for rescue work and for extinguishing the fire.

"Had this diabolical plan been carried into execution the consequences would have been appalling, for the inmates of the houses would have been shut in by a sheet of flame and many lives would undoubtedly have been lost before the Fire Brigade could have effected a rescue. The oil was laid with the utmost secrecy and was not noticed by anyone until the morning of the following day, but fortunately very heavy rain fell on the night of the 20th July and a terrible tragedy was providentially averted.

"A thorough inquiry was instituted immediately after the discovery of the oil, but no clues of any description were available and it can only be surmised that the plot was contrived with the object of exacting revenge for the shots fired at Muhammadan processions in this area."

I ask the House if a block of buildings consisting of about 50 buildings could be drenched with oil, by whom could they be drenched? We were told that pickets had been posted at convenient points. These were times of excitement, especially when the Mohurrum was going on; there was trouble the previous night and almost every hour police patrols were out; there were police pickets stationed near that place; how was it then that so many houses had been drenched with oil as well as the streets were drenched with oil to prevent the Fire Brigade from coming to the rescue of the people? What prevented the police from detecting the persons who created the mischief? Does it show the efficiency with which the police managed the affairs? I will refer to another incident to show the manner in which the police conducted

themselves. There was an allegation that one person had been shot by a gun in Armenian Street. Immediately 97 persons from different houses were arrested.

The Hon'ble Mr. A. N. MOBERLY: I will point out to the hon'ble member that this case is *sub judice* and he should not refer to that.

Mr. PRESIDENT: You should not refer to that.

Babu PRABHU DOYAL HIMATSINGKA: I did not know that the case was *sub judice*. I will not refer to it. However I say that on a particular occasion the people publicly declared that a certain incident had happened in which certain officers were concerned and that the matter should be enquired into. In it a number of innocent persons had been molested; but what enquiries were made? We do not know yet what action was taken by Government to bring to book the persons who were responsible for the arrest of a number of persons on the groundless charges. I wish to impress on the authorities that they should not interfere with the rights of the citizens unless there be proper justification for the same. There is no reason why they having once laid down certain rules should not have the right or the courage to enforce those regulations. With these words I commend this motion to the acceptance of the House.

Mr. S. C. BOSE: In rising to speak on this motion I do not propose to take much of the time of the House in dilating upon the conduct of the Presidency police. The mover of the motion has placed before us certain facts which go to show that his opinion is that the police is not efficient. My friend, Babu Prabhu Doyal Himatsingka, has also presented his view of the facts and I think, generally speaking, the Hindu and Muhammadan members of the House, not to speak of the public of Calcutta, are in agreement that the police have throughout, at any rate since April of last year, shown a degree of inefficiency which is I think most scandalous. Now, Sir, notwithstanding what the members on the other side of the House may say, the public of Calcutta remain unconvinced and if the Government are so sure that the police have done their duty and that the citizens of Calcutta are satisfied that the police have done their duty, let the Government take the steps that Government in England and other countries take in such circumstances, that is, let them go to the polls on this issue, namely, whether the citizens of Calcutta are satisfied that the police have done their duty; and I do not think that the Hon'ble Mr. Moberly has any doubt that if any referendum was taken on this question the opinion of the public of Calcutta would be against the Calcutta police.

But, Sir, in speaking on this motion I wanted to limit myself to one aspect of this question only, namely, the question of Indianizing the police services. I would ask the Hon'ble Mr. Moberly to tell the House whether Government do not propose to introduce an invidious distinction between the European and the Indian inspectors in the police service. We all know that up to the present day European inspectors and Indian inspectors are on the same grade—Rs. 175—300. Is it not proposed by Government now to give the European inspectors in future—in the near future and not in the distant—a pay of Rs. 200—400 whereas the Indian inspectors are to remain on the same pay, *viz.*, Rs. 175—300? Is it not the intention of Government—an intention which they are going to translate into action very soon—to give European inspectors not merely a higher pay, Rs. 200—400, but also three free passages to England during the tenure of their service like so many *burra sahibs* who have benefited under the Lee Commission? On this question my information is that—though the figures in the budget show this, and the members of the Treasury benches are adepts in the art of concealing their thoughts and intentions, being believers in the trite saying that language is the art of concealing our mind and thoughts—my information is, and I challenge Government to contradict me, that there is at present a proposal being considered by Government to give European inspectors who are occupying the same status and rank as Indian inspectors a higher pay, *viz.*, Rs. 200—400 besides three free passages to England during the tenure of their service. This is, Sir, a very poor commentary on the alleged intention of the Government to Indianise the services more and more and to remove artificial distinctions among Government servants. I would ask the Hon'ble Mr. Moberly to enlighten us on the point whether there is not such a proposal now before Government.

11-30 A.M.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I had no mind to take part in this discussion except to refer to one statement of the Commissioner of Police in discussing the communal situation in Calcutta last year. I would not have said anything if he had confined himself to bare statement of facts but I found very unfortunately two statements which I, as a member of this House, cannot pass unnoticed. One statement is—breaking of Hindu temples has always been a feature of the Indian history, and there is another—the Sikhs under the leadership of Banda broke a number of mosques by way of retaliation for Aurangzeb breaking Hindu temples. Sir, at a time when communal frenzies are rampant people are likely to do more mischief and when the Government of Bengal is anxious to remove those feelings, I put it to the legal advisers of the Government to say whether a statement like that made by the Commissioner of Police that breaking of temples is a feature of Indian history and that so many mosques had been

broken down—whether the statement does not come under the purview of law.

I would not certainly give him any bad motive but benefits of good intentions. Still I should think these statements had been most unfortunate and should never have been placed in the official report. I on behalf of myself and my community say that a statement like this that breaking of temples is an essential feature of Indian history is a gross travesty of facts. I should not like to enter into any historical discussion. I say this much that though there might have been here and there breaking of temples or mosques to call it a feature of history is not right and should never go unchallenged. I strongly disapprove of this and I say that a statement like this does not meet the situation. I hope in future such statements should not be made. Fortunately for myself I did not know what the Sikhs did and there are many others who are likely to say the same, and from that point of view these statements are likely to rouse bitter communal feelings.

The Hon'ble Mr. A. N. MOBERLY: Before I turn to the other points I should like to refer to the point raised by Mr. Bose. He asked for a specific reply. I have never heard of any such proposal as he mentions, that is to say, that the pay of European inspectors would be increased to Rs. 200 to Rs. 400 and that they should get free passages. On hearing Mr. Bose's speech I asked Mr. S. N. Roy, the Deputy Secretary to Government, who deals with Police, and he has never heard of it either. There is no such proposal and to the best of my knowledge no such proposal has ever been made.

Turning back to the speech of the mover of this motion, he referred to the inefficiency of the police in dealing with pickpockets, with gambling and with cocaine smuggling. His reference to pickpockets I think I can deal with briefly because if he will study the figures of crime in Calcutta during the last few years he will see that offences for theft have decreased steadily. Pickpockets of course cannot be dealt with as such under the Goonda Act because it is necessary in order to deal with anybody under that Act that an element of violence should be present. Several people who have been dealt with under the Goonda Act had however begun their career of crime as pickpockets. I think that the population of Calcutta of the pickpocketing class is diminishing appreciably.

Turning to cocaine smuggling, I have a good deal of experience of this in another sphere. For six years I was the Commissioner of Excise and cocaine was one of the problems with which I had to deal. I think I can fairly pit my experience against that of the Additional Chief Presidency Magistrate Mr. Keays. He seems to think that because we know there are big dealers and because we have some reason to suspect who they are, we can deal with them. I can assure the House

that it is most difficult to deal with them. Dealers are always on the watch and they have a big organisation to run the business. It is a very profitable business and they can pay people to keep watch. They finance it and they have other people to deal with it. It is very difficult to get hold of the actual big dealers, nevertheless the Calcutta Police have, since Mr. Keays' observations, redoubled their efforts specially since the end of 1925. I may also add that it is now thoroughly recognised that these big cocaine dealers and their gangs are a very serious source of trouble when there are any disturbances about. Several of these men whom we could not deal with for specific offences in connection with cocaine smuggling have been dealt with under the Goonda Act and a large number of them have been externed from Calcutta under the Security Act. I think the cocaine smuggling business has been checked very considerably and it will continue to be watched vigilantly.

The third point was as regards gambling. There I know the Commissioner of Police is taking very considerable interest, and I think he has received tributes from various people of Calcutta for the success which has attended his efforts.

The next point was that the number of Muhammadans in the higher ranks in the Calcutta Police is inadequate. I mentioned the other day in connection with another motion that I am quite ready to explain exactly what the position is as regards Muhammadans in the police service of Calcutta and if the member who has moved this motion comes to me I shall also explain the position to him. It is very difficult indeed to pitchfork members of a particular community into particular jobs. I can only say that I personally scrutinise cases in which Muhammadans are passed over and I see that they are not passed over unless in the public interests.

The next speaker suggested that the Europeans have constituted themselves as arbitrators in the matter of communal disputes. Our attitude throughout has been to let the two communities settle these disputes between themselves and we recognise that whatever we do cannot have any finality. Until we can get the leaders of both sides to find a *modus vivendi* I am afraid communal trouble will not be stopped. What we do do is to try to maintain and keep the peace. In some cases we have laid down the line of action as far as we could in accordance with custom or on a basis which would in our opinion to some extent prevent rioting. But I do hope that the two communities will come together and settle the dispute between themselves and I can assure them that the last thing that the Europeans want to do is to have anything to do with these communal disputes at all. Let them settle it between themselves and we shall only be too glad. We dislike above all things to be dragged into any dispute which has got a religious basis.

The next speaker dealt with police interference with the rights of Hindus. I have heard charges made in this House against the police—even more serious charges—from certain Muhammadan members. Practically what it comes to in dealing with communal disputes is this—the police can do nothing right—you cannot get them to satisfy both sides although we know that they do their best.

As regards the specific processions to which the mover referred, namely, the Durga Pujah procession and the recent incident in connection with the Saraswati Pujah procession, I may mention that at the time of the Durga Pujah there was a large number of processions going out and the procession to which he referred was a large new Marwari procession which was organised by a large number of people and which, there was considerable reason to believe, was organised in order to provoke and annoy the Muhammadans. The Commissioner of Police came to the conclusion that it would make for the greatest good of the greatest number if he prevented the procession going just where it wanted to. During the Saraswati Pujah there were many processions; a certain number of them were diverted and with one exception they were perfectly willing to go by the route which the Deputy Commissioner suggested. But this particular procession was not a Calcutta procession at all. It was coming from Jadavapur outside Calcutta and came in by train. It arrived at the junction of Harrison Road and College Street at an hour which was about the prayer time in the most disputed mosque which it would have to pass by. I think the Deputy Commissioner had good reason to suspect that this particular procession was intended to cause annoyance to the Muhammadans of the mosque which it would pass by at prayer time and so it was diverted.

It has been said that though there may be grounds for regulating processions in times of disturbance there is none in ordinary times. I say that we are not yet living in ordinary times. We are perfectly willing and the Commissioner of Police is prepared to maintain the rights of the Hindus but I think the House will agree with me that when a procession comes along and we have reason to believe that it is a provocative procession whose object is to annoy the Muhammadans the Commissioner of Police is perfectly right in suggesting another route in order that the two communities may not come into conflict.

11-45 A.M.

As regards the oil incident, I am not quite clear whether the hon'ble member suggested that the police were responsible for it or that they knew who were responsible for it. It is absolutely impossible for the police to be everywhere. We have a force which members on the other side of the House consider to be already excessive. But I submit it is not sufficient to be everywhere at once

Babu PRABHU DOYAL HIMATSINGKA: May I enquire why the Saraswati Puja procession was diverted?

Rai HARENDRANATH CHAUDHURI: On a point of order, Sir. Are we not entitled to have a reply from the Hon'ble Mr. Moberly?

Mr. PRESIDENT: If the Hon'ble Member does not want to reply I cannot compel him to do so.

The Hon'ble Mr. A. N. MOBERLY: I am quite prepared to reply, but, I have already spoken and I am not quite sure whether I am entitled to speak again.

Rai HARENDRANATH CHAUDHURI: Sir, the member asked a question in order to get some information.

Mr. PRESIDENT: I think I should make my position clear on this point. I could not ask the Hon'ble Member to reply unless he thought fit to do so. Perhaps he thought his speech was quite sufficient for the purpose. There was nothing to prevent him from giving a reply.

Maulvi ABUL KASEM: Sir, do I understand that after the Government Member has spkoen the debate is closed?

Mr. PRESIDENT: Yes, I should think so.

The motion that the demand of Rs. 32,86,850 under the head "26 A.—Presidency Police" be reduced by Re. 1 was then put and lost.

Rai HARENDRANATH CHAUDHURI: Sir, I beg to move that the demand of Rs. 1,66,480 under the head "26 B.—Superintendence" be reduced by Rs. 1,00,000 (page 116, Civil Estimate).

Sir, let me say at the outset that I do not aim either at reducing the pay of the clerks or any such thing. My whole point is that the police administration in Bengal is an exceedingly top-heavy administration, that in India there is not a second province where the police administration is so top-heavy as it is in Bengal. In the next place, Sir, I think, I am in a position to prove by quoting facts and figures that that has not led to more efficiency of the police: On the contrary it

is responsible for less police work in this province. Sir, on a previous occasion I moved a motion similar to that which I am moving to-day, and in moving that motion, Sir, I quoted the following figures. I said that "it will be seen at once by comparing the budgets of the different provinces for 1925-26 that under the particular head '26 B.—Superintendence' all the other major provinces, namely, the United Provinces budget Rs. 2,25,000, Madras Rs. 2,88,000, Bombay Rs. 2,05,000, while Bengal budgets Rs. 3,77,000". (Page 329, March proceedings of the year 1925.) Those figures prove beyond doubt that superintendence costs more in Bengal than in the other sister provinces in India. In reply to my contention to the then Hon'ble Member in charge of the Police Deparmtent, Sir Hugh Stephenson, said that I did not take into account all the other circumstances which led to the increased expenditure on the item of superintendence here, and as Mr. Moberly is likely to quote his arguments over again, I am anticipating him by quoting Sir Hugh Stephenson's arguments in his own language. Sir Huge Stephenson said: "As regards the comparison of the budgets, there are a number of other things to be compared too —the population, the nature of the population, the division of the country, the accessibility of it, and so forth." Probably it was out of modesty that he did not refer to the geological strata, the deltaic configuration, of Bengal, the flora and the fauna of this province, and such other things. I do not understand, Sir, what is the relevancy of this argument that was made by Sir Hugh Stephenson. However, if there be any relevancy at all, let me answer his argument by quoting the actual facts and figures. Let us take, first of all, the population. Does the population of Bengal justify an incerased expenditure on the item of superintendence? It cannot be so: for it will be seen on referring to the statistics that United Provinces and Madras have got more population than Bengal. It may be that the density of the population is less in Bombay but that does not take anything away from my argument. On the contrary, if the population is spread over a larger area in Bombay that may add to the difficulty of the police—of the supervising officers—but how that can lessen the difficulty of the supervising officers I cannot understand. Then, take for instance, the question of communications. Do you mean to say that so far as Bengal is concerned the communication is less improved here than in other sister provinces. You have got to prove that. Then there is the question of area. The police have got to move over a larger area in the aforesaid provinces than in Bengal. The supervising staff have got to control the police spread over a larger area. There can be no possible doubt about that. Bengal has got an area of 77,000 square miles, whereas Bombay has got an area of 1,22,000 square miles, United Provinces 1,06,000 square miles, and Madras 1,42,000 square miles. There can be no doubt, therefore, that so far as the supervising officers are concerned they have got to control and move about over a larger

area than in Bengal. Then take the number of districts the work of which the supervising officers have got to superintend. Now, the number of districts in all these provinces is almost the same: in Bengal the number is 28, in Madras 27, and in Bombay 29; whereas United Provinces has so many as 48 districts. So far as the work of superintendence of district police administration is concerned that work cannot involve more labour on the part of the supervising officers in Bengal than in Madras or Bombay or United Provinces. That answers the point regarding the division of the country. Then as regards the nature of the population, I am not sure, Sir, whether Bengal is more criminal than Bombay or Madras. So far as my memory goes, I do not think that the comparative figures of offences in Bengal and in the sister provinces will place Bengal in a much worse position than in other provinces. At any rate, I am not prepared to admit that Bengal is more criminal than the sister provinces.

But let me revert to the question of population. If the strength of population be the sole test of the cost of superintendence, then why should not Bihar, which has a larger population—of course, speaking, proportionately—have more Inspectors-General and Deputy Inspectors-General than say Bombay or Madras. The density of population in Bihar, so far as I understand, is more than that in Bombay or even in Madras: then Bihar should have more superior officers than Bombay or Madras. Therefore, I submit, that we should not accept the argument based simply on the question of population. Now, there is another argument which was advanced by Sir Hugh Stephenson. He said that the Deputy Inspectors-General nowadays have got to perform more duties than they used to do before. And what are the duties that they have got now to perform? He says that nowadays "the Deputy Inspector-General is responsible for everything within his range: he is responsible for the crime, he is responsible for the force, etc." I am glad to know that the Deputy Inspectors-General are also responsible for the crimes. Whether Sir Hugh Stephenson used the word "responsible" in the sense of instigating crimes, I do not know, but he meant probably that they were responsible not for the prevalence of crimes but for controlling, preventing, detecting crimes—for lessening the crimes. If that was idea, Sir, then I submit that the work of these Deputy Inspectors-General has led almost practically to nothing. Now, what do we see on comparing the statistics? Let us examine the item of "Recovery of stolen property". What is the position so far as Bengal is concerned? Has this extra work of supervision and superintendence by the Deputy Inspectors-General led to any improvement so far as the recovery of stolen property is concerned? I submit, no. On the contrary the percentage of recovered stolen property in Bengal is in inverse ratio if I may say so, to the number of Deputy Inspectors-General and the superior police officers. The case is not so bad in Madras and Bombay. Take for instance, the following figures

relating to properties stolen and recovered: In Madras the percentage of the value of properties recoverd to the value of properties stolen is 15·9; in Bombay it is 28·2; whereas in Bengal it is 13·8. As I said before, this is in inverse ratio to the number of Deputy Inspectors-General and superior police officers. Let me quote the comparative strength of officers in the superior grade in the different major provinces? In Madras there are seven Inspectors-General and Deputy Inspectors-General to manage a force of 29,000. In Bombay a force of 29,000 is managed by ten Inspector-General and Deputy Inspectors-General. In Bengal the same force of 29,000 is managed by 15 Inspector-General and Deputy Inspectors-General. Does any body dispute these figures? I am quoting them from the Statistical Abstract for British India. I hope Mr. Roy will not ascribe them to the printer's devil.

12 NOON.

Then as regards the total cost of police so far as the figures for 1921 go it is in—

Madras	..	...	...	Rs. 1,62,00,000
Bombay	...	...	...	Rs. 1,62,57,000 and
Bengal	...	...	...	Rs. 1,85,00,000

although, as I have mentioned, the percentage of the value of properties recovered to the value of properties stolen is 13·9 in Bengal.

Then I take it from another point of view, namely, the control of cognisable crimes. As I have said before, I do not agree to the proposition that Bengal is more criminal than the other provinces. What is the work the police put in in respect of cognisable crimes in the province of Bengal? The number of cases that ended in conviction in 1921-22 was in Madras 95,291, in Bombay 79,437 and in Bengal 96,611. The number of such cases reported was in Madras 1,41,282, in Bombay 1,17,361 and in Bengal 1,87,695. Therefore these figures prove that lesser percentage of cases reported ended in conviction in Bengal than in the other provinces. Hence I submit that the whole of the argument that was developed by Sir Hugh Stephenson in connection with that motion falls to the ground. All such arguments can with some show of reason be advanced in supporting, not the cost of sueprintendence, but the cost of police. But in supporting the cost of superintendence Sir Hugh Stephenson urged those arguments which however, as I have shown before, connot bear a moment's scrutiny.

Now I come to second point, namely, that this extra cost of superintendence, which leads to heavy police expenditure in Bengal, does not secure more efficiency; on the contrary, it is responsible for less police work in Bengal. What I mean by less police work is that we have got

a lesser number of men in and consequently get less work from the subordinate police ranks in Bengal than in other provinces. As I understand so far as Bengal is concerned, it requires more policemen and not more officers in the superior grades; but the fact is that because these big superior officers have got to be supported, *i.e.*, as the Bengal Police is top heavy, therefore we get less police work in Bengal, because Bengal, so far as the number of subordinate police officers and men is concerned, is under-manned. Bengal has for example, a less number of constables than in Madras and Bombay; if so, there can be no justification for having a larger number of Deputy Inspectors-General—men in the highest grade. On the contrary, the situation in Bengal suggests that the strength of the officers in the upper grades should be reduced and there should be more constables and more men in the subordinate grades. Had that been the case, then, I think there would have been more enquiries into crimes, more attempts to recover stolen properties and more attempts to secure arrests and conviction of criminals, but those are neglected because of the fact that we have a lesser number of policemen and subordinate police officers in Bengal; on the contrary we have got more men in the upper grades. That accounts in my opinion for the lesser percentage in the recovery of stolen properties, as also the lesser percentage of detection and conviction of criminals in Bengal. Therefore I suggest that the whole policy of appointment and recruitment in the Police Department should be revised and the cost of superintendence substantially reduced.

The Hon'ble Mr. A. N. MOBERLY: Sir, I congratulate the hon'ble mover of this motion on the care with which he has prepared his case. I am sorry that I have not made a comparative study of the police statistics of all the provinces of India. Statistics are very difficult to understand; but possibly if I had had any idea of what exactly he would bring up, I could have tackled the matter and would have been able to meet him. One of his figures, however, I am in a position to test on the spot, and that is the number of Inspector and Deputy Inspectors-General in Bengal. I think he gave the number "15", but the number, as will be observed on page 116 of the budget, is actually 6.

Sir Hugh Stephenson gave reasons in 1925 why the suggestion of the Retrenchment Committee on this matter was not accepted. At that time the Council rejected a similar motion by 62 votes to 49, and I thought that as the Council rejected a similar motion, the mover would not be likely to bring up this particular matter again. As I have said, if I had known that the mover would bring out statistics I would have tried to prepare myself to meet him on those statistics. But as it is, I would request the Council to throw out the motion.

The motion of Rai Harendranath Chaudhuri was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Md.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mitra, Srijut Jogendra Nath.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Nalinirnjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. S. S.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. S. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Nadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jenkaway, Mr. J. H.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Golam.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. S.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Choudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Skinner, Mr. S. A.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 42 and the Noes 58, the motion was lost.

12-15 P.M.

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 1,00,000 under the head '26C.—District Executive Force—Pay of Superintendents' be reduced by Rs. 50,000 (page 117, Civil Estimate)."

Maulvi SYED MAQBUL HUSAIN: "That the demand of Rs. 1,13,83,750 under the head '26C.—District Executive Force' be reduced by Rs. 8,000 on account of increase in the town police staff at Chittagong (page 117, Civil Estimate and page 50, Budget)."

12-15 P.M.

Babu AMARENDRA NATH GHOSE: As Mr. Ananda Mohan Poddar is absent, may I have your permission, Sir, to move the motion that stands in his name?

Mr. PRESIDENT: Yes, you have my permission to move it.

Babu AMARENDRA NATH GHOSE moved that the demand of Rs. 1,13,83,750 under the head "26 C.—District Executive Force" be reduced by Rs. 5,00,000.

He spoke in Bengali in support of the motion.

Babu BIJOY KRISHNA BOSE: I rise only to remove a misapprehension in the mind of the last speaker, my friend Babu Amarendra Nath Ghose. He said that these Superintendents and Assistant Superintendents are not necessary and has given apt illustrations but he has forgotten that so long as the British character of the administration is necessary these Superintendents and Assistant Superintendents must also be necessary, because these Superintendents and Assistant Superintendents belong to a class of people who are a superfluous commodity in England, who are college-failed and school-abandoned and who belong to high families and who must be provided for here in India. These posts are filled with the incapables of the Anglo-Indian families and I remember an article in the *Pioneer* which said that this service was a happy haven for European destitutes, where Chaucer was unknown and Conics Section was at a discount. Therefore so long as the British character of the administration prevails there must be these Superintendents and Assistant Superintendents. No matter whether they know the language of the people, whether they know their customs and manners; they must be there. It will be said probably on the Government side that they are necessary because of the communal riots to keep peace between the Hindus and the Muhammadans. Unfortunately

these communal riots have come at a time which affords justification to Government in perpetuating many a bad thing. These posts will continue till a Swaraj Government is established.

Mr. P. C. BASU: May I ask one question, Sir? Is it a fact as suggested by my friend, the member for the Calcutta University, that the pay of the European inspectors in the district police force is going to be increased by Government?

12-30 P.M.

The Hon'ble Mr. A. N. MOBERLY: Sir, in reply to the last speaker I may say that I have just been told that proposals have been submitted to us regarding the District Police force but I have not seen them yet.

Mr. P. C. BASU: May I ask another question, Sir, whether that proposal is going to be adopted?

The Hon'ble Mr. A. N. MOBERLY: As I have not yet seen the proposal and it has not yet been brought before the notice of Government I am sorry I cannot answer the point.

Sir, the mover of this motion desire to cut Rs. 3 lakhs from the head "Temporary Intelligence, District staff" and Rs. 1,20,000 from the "Deputy Superintendents". The total of that comes up to Rs. 4,20,000 and I do not know how he would propose to cut Rs. 5 lakhs from the head "District Executive Staff".

The subsequent speakers referred to something altogether different, namely, Superintendents and Deputy Superintendents. As regards the temporary intelligence staff the budget for 1927-28 merely repeats the provision for 1926-27. The staff are required for purposes of making various enquiries and work is being increased by communal disturbances.

As regards the Deputy Superintendents so far as I was able to understand from the hon'ble member from Tangail his cry is "Trust the Daroga". But personally from what I have gathered during my 30 years' experience I am rather doubtful if this is the general opinion.

Dr. BIDHAN CHANDRA ROY: Does the Hon'ble Member suggest that he does not trust the Daroga?

The Hon'ble Mr. A. N. MOBERLY: Not without supervision, certainly. Darogas do most excellent work, but supervision of some sort is needed everywhere from the Executive Council downwards. Even the Members of the Executive Council are very carefully supervised by this House.

Several speakers referred to the question of Superintendents and Assistant Superintendents. I sent for the Civil List and notice that the number of Indian Assistant Superintendents is increasing very

rapidly and will continue to increase. That proves that the police force is not intended solely for the benefit of the Europeans. Indianisation of the services—both in the Civil Service and in the police—is increasing rapidly and I may mention that when I am asked for the services of European officers I often have to say that I cannot supply them. If this Council desires that there should be more Indian officers they may say so but I am not quite sure that is the general feeling in the country.

The motion that the demand of Rs. 1,13,83,750 under the head "26C.—District Executive Force" be reduced by Rs. 5,00,000 was put and lost.

Babu NALINIRANJAN SARKER: I beg to move that the demand of Rs. 1,13,83,750 under the head "26C.—District Executive Force" be reduced by Rs. 100 (page 117, Civil Estimate).

I am actuated by two main considerations. The first is to emphasise the supreme need for a policy of steady retrenchment in the police department along with other departments so that a sufficient amount may be released to be utilised for the purpose of financing schemes for removing the poverty, disease and ignorance of millions of our fellow-countrymen. By slightly reducing the pomp and luxury of an extravagantly top-heavy administration, benefiting only a few, we shall give light and vigour to thousands that are dying for lack of them. Secondly, I want to record our emphatic disapproval of the policy and spirit in which the authorities have been content to carry on the police administration.

Regarding economy of administration the Official Report of 1925 has claimed on behalf of the Inspector General that "he has been able to run the Department as economically as possible consistent with efficiency". In support of this contention it is observed in the Report that "the cost of policing 40 million people in England and Wales was 20 million sterling in 1923 against the equivalent of one million sterling in Bengal which has a larger population". We are but too familiar with the tactics of officials when they desire to increase expenditure. But is it not going too far even for them to ignore the obvious fact that except for the identity of arithmetical units the comparison between England and India does not lie? Even granting that by spending without limit it might be possible to attain the same standard as obtains in England, what good should that be if the people in India, unlike those in England, were to continue to welter in ignorance and dirt? Progress to be worthy of the name must go hand in hand in every sphere of Government activity. Our policy, should, therefore, be directed towards bringing the sadly neglected departments of Education and Sanitation in line with the rest.

The police department offers special scope for retrenchment because it has been unduly pampered under the particular care of a foreign Government which has been slow to recognise any duty to the mass of the people beyond the mere maintenance of law and order. My purpose to-day is, therefore, to insist that the Government should commit themselves to a policy of retrenchment steadily continued, in order to increase our spending capacity in those departments which have been more or less totally starved till now. I recognise, Sir, that natural expansion and steady increase of efficiency should be the ligitimate ambition of every department. But expansion which is one-sided and which is gained at the expense of another is far from legitimate and can do no good to the body politic. Such expansion as may be absolutely necessary must be carried out by a policy of readjustment and redistribution rather than by exceeding the present limit of expenditure. Regarding efficiency it should be our aim for the present to further our object by revising the policy and overhauling the system of administration. In short, for some time to come, until in fact the nation-building departments have attained the same degree of development as the others we must shut our eyes to all prospects of expanding or improving the latter and remain content with what we have achieved up till now. A reduction of say Rs. 5 lakhs in an expenditure of about a crore and a quarter is not a matter of very great difficulty if the Hon'ble Member will only give his serious attention to it.

Experience moreover has shown that mere increase in expenditure or in the strength of the police force has not been very much effective. The expenditure of 1922-23 shows an increase of 225 per cent. over that of 1913 while the force had nearly doubled itself in number; but has the actual achievement of the police shown any increase? On the contrary the percentage of convictions to prosecutions and the number of detected cases and the value of the property recovered to property lost show a decline. The last official report no doubt takes credit for a small variation of the figures from those of the immediately preceding year, but a sure test is to be found from a scrutiny of the figures of a longer period which tells a different tale. The police, have, inspite of the care bestowed on them by Government, failed even in meeting tha ordinary situation, not to speak of such cases as the Calcutta riots of last year or the atrocities at Pabna—crises which made police work a farce, with disorder raging unchecked and the locality reduced to a state of chaos. In fact the police administration was abdicated and the red flag proved a better protection for His Majesty's Mail than the much vaunted Union Jack. Under the present system such failures are inevitable as an analysis of the situation will make clear.

The thana which is the unit of police administration in this province covers an area of about 115 square miles scattered all over the province, with poor facilities for communication. Such a thana is again staffed

by 2·97 investigating officers and 24·77 constables recruited generally from outside Bengal, having no proper education, no local knowledge, no sympathy with the people of whose fate they are the custodians. Allowing 25 per cent. of the total constabulary to be a reserve force, the average area now served by a police constable is over 6·68 square miles comprising a population of over 2,984 souls. What useful purpose can such a system serve? In every advanced country half the policing is done by the co-operation and assistance that the public give to the regular policeman. In India, where the area served by the average constable is so large and the means of communication so scanty, the need of public co-operation is at its maximum. Even otherwise, the use of force cannot go far, unless that force has behind it the good will of the large majority of the public. The entire public, except of course the criminal section of it, would doubtless hasten to recognise the police as their friends and protectors, if only the system allowed them to do it. Far from making any attempt in that direction, the Government in this country have deliberately made the policeman the dread symbol of a foreign domination. He is the punishing arm of the executive and is used for the repression of any activity likely to build up the people's strength and manhood. It is this spirit which has vitiated the entire police administration in this country.

In England and other free countries on the other hand, every step is taken to ensure the utmost cordiality between the public and the police. So early as 1834 the House of Commons appointed a committee to enquire into the causes of the collision which took place between the police and the public at the Coalfields riot of that year. The committee succeeded in establishing public confidence in the system of the metropolitan police in London. In the years that followed the system was so remodelled and perfected that the public readily recognised the police as their friends and protectors and were always ready to co-operate with them. Only a few months ago the authorities in London issued a circular letter warning the police against the small incivilities that the public had but vaguely complained about.

But have the authorities in this country ever considered the necessity of improving the relation between the police and the public? On the contrary the least breath of complaint against the police brings forth denunciation galore against the people from the head of the Government down to the veriest underling. The policy should be so changed that an atmosphere of good-will may be created and the public and the police thereby enabled to co-operate in the common task of preserving the peace and protecting the life and property of the people.

The system of police and in fact every other department of administration now in vogue seems to be based on the principle that everything is to be done for the people rather than by the people. This necessarily creates a spirit of dependence which dwarfs the intellectual and moral

faculties of the people and incapacitates them for true citizenshi The ordinary individual in the village fills no place in the administr tion of the affairs of his village and therefore gradually sinks in h own estimation. If a sub-inspector or a head-constable visits the villag he is looked upon with a feeling of awe, and in his turn can nev realise that he is a public servant, a servant whose services should l at the disposal of every villager. Co-operation cannot come about long as any other feeling rules his mind. And this feeling of c operation cannot come unless and until the police is made responsib to the people.

As a first and immediate step it is necessary to create in every di trict a board of influential representatives of the people and speciall entrust them with the task of bringing about better relations betwee the public and the police. They can inquire into the grievances of th public against the police either on account of misconduct or of inefl ciency. During crises the Board can be relied upon for securing suc support from the public as may be necessary for the maintenance of th peace. Such an institution as I have now in mind would form a happ transition to the ultimate end of this reform, *viz.*, the transfer of th responsibility of the rural policing to local authorities as in Englan and on the Continent of Europe at the present day.

The system of organising village defence parties which, as the officia report recognises, has been such a great success should be given ever possible encouragement. The tendency of the Government and th police has till now been to perceive nothing but an incipient revolutio in every attempt to develop the physical capacities of the young me of a village. The Government have to overcome such uneasy feeling and if the young men are not subjected to unduly severe discipline o required seriously to compromise their self-respect, I have no doub that remarkable progress can be made before long without any appre ciable cost. Any one who has watched the working of our voluntee organisations that have policed *melas* and religious festivals or tha have done relief work in times of calamity cannot in the least doub the capacity of our youths for undertaking such duties. We have her the beginning of a system of volunteer police organisation which in th peculiar condition of this country is an absolute necessity and whe fully developed it will be a great source of strength to the permanen police force in every kind of emergency.

12-45 P.M.

As I have already pointed out, the present system of centralising al available man-power in the thana will not serve the chief ends o police administration. For efficient working and for better results proper and judicious decentralisation all over the area is desirable, s as to have at least one responsible man in each union. It must be hi

duty to regulate the work of the chaukidars and to organise and train the defence parties in their work. It is for him to arrange the watches and to keep in regular touch with the people of the union as well as the regular officers of the thana. In order to attract the higher classes of society, such functionaries should be given a better appellation than that of "constable", having regard to the dubious tradition behind it. If this system is given effect to, what is now an inefficient service carrying on but little fruitful work may be replaced by a willing and responsible body of youths alive to the responsibility that their position demands.

An indispensable adjunct to this scheme of reform is a substantial modification of the present Arms Act. The dacoits or other criminals have nothing to fear from unarmed resistance. The success of these measures would appear, therefore, to rest a great deal on the grant of arms to a large number of responsible citizens. With arms in their hands individual citizens can feel stronger and can give a sure check to the spread of panic on critical occasions.

The additional cost will not be much and can be met from the savings arising out of the consequent reduction of the number of ordinary constables at the thana. And when such system of volunteer police organisation gets perfected, some reduction can be effected even in the ranks of the reserve constables. A readjustment of the top-heavy superior staff may also contribute a substantial portion to this additional cost.

What I have been advocating is but a moderate measure of reform in a particular department. It involves no revolutionary changes except in the minds of the hon'ble occupiers of the benches opposite. It does not in the least mean the wrecking of the Reforms. Those of my hon'ble friends who hold them dear for what they are worth need not see in this scheme anything running counter to their faith. May I not, therefore, expect their support in pressing its acceptance on the Government?

Rai JADUNATH MAZUMDAR Bahadur: Sir, the police—I mean the Indian police—are a body of men which cannot but excite the pity and commiseration of all right-thinking men in this country. (Laughter.) They are, I think, the most wrongly abused people. Their duties are arduous and responsible but they have no support either from friends or from foes, either from their own countrymen or from strangers. They are condemned by everybody and praised by nobody. But at the same time whenever a police station is abolished or withdrawn from a particular locality, there is a chorus of indignation to the effect that the Government had abolished the police-station. At that time only the people feel the need of the police. In my district, I remember, Sir, when the Kalia police-station was abolished and removed to another place there was a chorus of indignation, resentment,

and discontent on the score that the Government had very wrongly withdrawn the police-station from the place and had thereby made the life and property of the people of the locality and of the surrounding villages insecure. Then, again, another police-station was abolished at Chaugachha, and lots of people came to me begging me to request the Government not to remove the police-station from that place. It is not, therefore, correct to say that the people of Bengal are against the police or that they resent them: On the contrary, they want the police. I think, they want more police, because, I find, that when Hindus and Muhammadans forget themselves and begin to fight among themselves like maddened buffaloes the few policemen of a particular police-station are unable to cope with the situation. I know, Sir, the history of many disturbances in the districts of Khulna, Jessore, and Faridpur: I came in contact with them either as a defence lawyer or as a prosecution lawyer. And from my experience I can say that the police are unable to cope with the disturbances and in my opinion the present number of the police force ought to be increased ten-fold in order to enable them to cope adequately with the situation in the country which is largely due to the instigation of, and the wrong advice given to, the people by some of our countrymen who want to see law and order go out of this country and anarchy reign in its place. (Ironical cheers and cries of "hear, hear".) Sir, it is they more than any other people who are making the police more costly, because it is the systematic and insidious teaching of these people, *viz.*, that the people of this country should disobey all Government orders and that they should go on fighting amongst themselves, which is responsible for the increased number of the police and therefore for the increased cost.

Then, Sir, I submit that the Bengal police—in fact every police—must partake of the character of the people from which they are recruited. If the Bengali himself is honest, the Bengali policeman must be honest also. Now, what are the classes from which we get our police inspectors and sub-inspectors in Bengal: they come from the same classes as deputy magistrates and munsifs and such other officers and still you persist in calling them dishonest. I think you may make them dishonest by frequently calling them so. I maintain that as you make the Government unsympathetic by always calling it foreign, alien, unsympathetic, and so forth, so also you make the police dishonest by constantly dinning into their ears that they are dishonest, dishonest, and nothing else. Therefore, I say that.....

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. Is it the hon'ble member's experience that if we call one dishonest he becomes dishonest?

Mr. PRESIDENT: Order, Order. The question does not arise.

Rai JADUNATH MAZUMDAR Bahadur: Yes. Sometimes i happens that if you call an honest man "thief and thief" he think it better to be a thief than to be an honest man. Therefore, Sir, I sa that it is the gentlemen on the other side of the House, who are respons ible for the increased cost of the police, since it is they who ar responsible for all this increase in disturbances in the country. (Crie of "Question" and interruptions.) You have asked the people to def law and order, to defy authority—you have asked the people not t be law-abiding citizens—and that is how you have gradually increase the cost of the police.

Sir, I claim for the Bengalis' honesty, and since the police officer are Bengalis why should they be dishonest? Sir, to my friends on th opposite, I would say: "You call them dishonest because they do no wish to serve your purpose, because they want to go against you in you nefarious business of disturbing the peace of the country and of banish ing law and order from this land. I admit that, there are black shee in every fold. (Ironical cheers and cries of "Like you").....

That sort of conduct will not cow me down know it for certain I am too old for that. I am strong enough to defend myself agains you all. (Continued ironical cheers and interruption.)

Mr. PRESIDENT: Rai Bahadur, you must address your remark to me and not to the members opposite.

Mr. H. S. SUHRAWARDY: On a point of order, Sir. My friend on the other side have no right to excite the Rai Bahadur.

Mr. PRESIDENT: The Rai Bahadur either has no right to get excited.

Mr. S. C. BOSE: On a point of order, Sir. Is the hon'ble member entitled to show his clenched fist to the House?

Rai JADUNATH MAZUMDAR Bahadur: Yes, मूर्खस्य लाठ्यौषधि—as you know: the stick is the only remedy for fools.

Mr. PRESIDENT: Order, Order!

Rai JADUNATH MAZUMDAR Bahadur: Sir, I claim for the police officers of the country that ordinary honesty which prevails in all other countries. But in this country in everything that concerns the Government, the order of the day is to find fault with it in order to pick up holes in its pocket—in order to cry down the Government.

Sir, lastly, I may point out that the population under the jurisdiction of a thana is, on an average, from one lakh to three lakhs of

people. The police force of a thana consists of, at the most, one sub-inspector, one joint sub-inspector, a few head constables and constables and it is this force which has to keep order among two or three lakhs of people. They are sometimes asked to wake up in the middle of the night to attend to some urgent call such as dacoity, murder, riot, etc., and I think that they do their duty as honestly as possible (ironical cries of "hear, hear") and I consider that they are entitled to our thanks and that we should not unreasonably find fault with them.

And, then, as regards recruitment. How are the police officers recruited? They are recruited from the best classes of society in Bengal, and if they are found wanting, it is they, who find fault with them, ought to find better men.

With these words, Sir, I oppose the motion before the House. (Loud ironical cheers.)

Maulvi ABUL KASEM: Sir, I rise to support the motion that has been placed before the House by my friend to my left. But in doing so, Sir, I would respectfully submit to you that when notices of token cuts are given for discussion in, and consideration by, this House, I think it is desirable that the member giving such notice should mention in his notice on what point he wants to attack the Government, and on which he wants the decision of the House. This morning I found notice of a token cut of Re. 1 given by two different members, each demanding the decision of the House on quite different matters. The result is that the decision of the House is asked for without letting it know on what it is going to decide. I submit, Sir, that in future the members may be asked while giving notices of token cuts to mention what they want to draw the attention of the House to. It would also save the Government a good deal of trouble, and it will.....

Mr. PRESIDENT: Are you speaking on the motion, Maulvi Saheb?

1 P.M.

Maulvi ABUL KASEM: Yes, I am going to speak on the motion. But as this is an important matter I thought it necessary to refer to this. However, if your ruling is that I should not refer to this matter, then I shall simply confine myself to the matter.

Well, Sir, speaking on the motion I must say that police expenditure in this province has gone up higher and higher beyond all proportions. More than a sixth of the total revenue of Bengal is spent on the police. I fully realise and recognise that police is an important limb of the administration and that it should be maintained in an efficient order, but extravagant expenditure simply does not produce efficiency. I want to draw the special attention of Government and of the House to one particular item of expenditure, the number of

Deputy Inspectors-General of Police maintained for the district administration. How many there are? Only a few years back the Inspector-General of Police worked with one or two Deputy Inspectors-General at headquarters. But now there is decentralisation and each portion of Bengal has been set apart as headquarters for a Deputy Inspector-General, besides the Inspector-General. I think it is simple extravagance; I think so far as the Bengal Police Administration is concerned there are too much grams in the stable than there are horses, and the reason is, as has been mentioned by my friend over there very aptly, that the additional supervision brings out more disorder and less efficiency. Now, Sir, attention was drawn to the fact of having a special criminal investigation branch in every district. I think in Bengal we can follow the practice of other countries, and a criminal intelligence branch of high efficiency—I do not mean that they should be highly paid—with headquarters at Dalhousie Square should run the whole of Bengal, and the district police will carry on the general administration work, detection and investigation, and whenever there are any difficulties, they may call upon the Dalhousie Square force to come to their rescue and assistance.

As regards the remark that the police are unpopular, I admit that there is a great deal of truth in it that the police do not get that co-operation and help from the people as they ought to or as the police in other countries get. But it will not be sufficient to say that the people are at fault. The reason is this that the police do not want our co-operation, and even if we go to co-operate, the police are not willing to co-operate. Co-operation, that Anglo-Saxon word, has a peculiar signification in this country, because co-operation means subservience. The police tell the people what they ask them to do. They do not accept any advice from the people. How can the people offer them advice? This is the attitude the police have taken up in this country. If the police ask for our co-operation and if the people refuse that co-operation, then you can find fault with the people.

One word more and I have done. We have been told that the police force is necessary because of these communal riots. It is our misfortune as well as our sin that we have got these communal troubles. The Hon'ble Mr. Moberly has given an advice to the people of this country to make up their differences. If there were no communal troubles, and I wish we had a sense of partiotism and wisdom to follow that advice, then I submit that we would not only be able to relieve the police force of their responsibility and duties but we would be able to relieve the Executive Government of a good deal of their responsibility and trouble. But unfortunately, Sir, as I have said before, it is our misfortune and our sin that we do not take that advice. At the same time I would submit that if we maintain a highly paid police force, if we pay for the most costly administration, should that administration only explain away its efficiency and want of ability

by saying "Why you people fight with we are not, responsible". If we do not fight with one another, there would have been no necessity for the police force, or the courts of justice, or a costly administration or even this Council. I submit that the police expenditure has gone up absolutely beyond proportion, and I may remind the treasury benches that if you look through the budget of the year 1913 which was presented to the then Bengal Council—I am happy to find that some of the Secretaries who were in that Council are now Members of the Executive Council, when I had the honour of being there also—you will find that the expenditure on police, especially the Presidency police, has gone up at least four times in these 13 years.

With these words I support the motion of my friend Babu Naliniranjan Sarker.

Babu NACENDRA NATH SEN: Sir, in this connection, I wish to refer to the members of the subordinate police service in Bengal. In the first place, I refer to the constables. It is generally known that they are recruited from the very lowest of our society and strata, generally speaking, they are a set of immoral men; but circumstanced as they are, they are bound to be so. They are not granted such privileges as are granted to ordinary employees under employers. Take, Sir, for instance the case of railway menials, they are provided with separate homes, separate places where they can live with their family and children, also with free passages to their homes. These constables are not very well paid, they are obliged to stay away from their wives and children for two or three years at a stretch and it is no wonder that they become immoral. So my suggestion is that instead of housing constables in palatial barracks, Government may well take the idea of housing them in small cottages where they can live with their families and children.

Then, Sir, I wish to speak of the sub-inspectors. A few years ago, it was the practice to recruit sub-inspectors on the results of competitive examination. Now-a-days that competitive examination has been abolished, and sub-inspectors are recruited under what method and in what manner, we do not possibly know, perhaps these are known to Superintendents of Police, District Magistrates, the Inspector-General of Police and the Secretary to the Government in the Police Department. No reason can be assigned why the competitive examination has been abolished and we are entitled to an answer from the Government. Why, after trying it for a certain number of years, Government thought fit to abolish it.

Then, as rgeards court inspectors, I think that this branch of the subordinate police can well be manned by young lawyers. They have not got to do the ordinary work of investigation and detection but to

conduct cases before criminal courts and the suggestion is well worth trying whether junior pleaders should be given preference in the appointments of court inspectors.

Then, in regard to the Deputy Superintendents, it has been suggested that they are a body of unnecessary men, with that suggestion I am not prepared to agree. As a matter of fact, Deputy Superintendents are generally recruited from educated Indians. They are a *via media* between the Superintendents of Police, who are generally raw young men indented from England and the subordinate police force.

Rai HARENDRANATH CHAUDHURI: Sir, I rise to support the motion that has been placed before the Council by Babu Naliniranjan Sarker. I rise to make apparently a destructive criticism because constructive suggestions cannot be expected from us so long as the police continues to be the limbs of an irresponsible bureaucracy. Rai Jadunath Mazumdar Bahadur has taken advantage of this motion to read a lecture to us, his fellow members, if not to his countrymen at large on the subject of the paucity of co-operation that is received by the police from our people. The Rai Bahadur has absolutely forgotten how the police in this country and that in the self-governing countries are situated. He addressed the whole of his speech, facing the European block, and I hope he has got the approbation he has looked forward to. But he absolutely forgot to take into consideration the widely divergent circumstances that prevail in this country and the other self-governing countries, in the latter the police are really the servants of the people and here the police are their masters being the limbs as I have said of an irresponsible bureaucracy irresponsive to the criticisms of the people of the country. So, however appropriate his lecture may have been in this Chamber, I am sure he would not dare repeat that lecture on any public platform in this country. It is admitted, and we do not deny it, that we do not believe the police, and that the police do not enjoy our confidence. Has the Rai Bahadur or any one of his frame of mind ever cared to consider why is it that if the police are really the protectors of life and property of the people, they are given a wide berth by the people, why is it that they are not taken into confidence by the people? The Rai Bahadur has said that immediately a thana is withdrawn from a place there is a hue and cry raised all over the locality from which the thana is withdrawn. Where has the Rai Bahadur found it ever alleged that the rural people do not require protection of the police. The people of this country do want police protection as the people of any other country, and because they do want protection, they sometimes desire that a police-station should be situated near their homes. But certainly when they find that the police are not up to their mark,

that the police do not perform their duties as they are expected to, that the police do not give the amount of protection they can expect from them, on the contrary constitute a source of oppression, it is then, Sir, that the attitude of co-operation is turned into a hostile attitude of non-co-operation. But, Sir, this is quite irrelevant to the motion before the House. Babu Nalinranjan Sarker has moved the motion with a speech which contains constructive suggestions throughout. He suggested the adoption of certain measures which will make co-operation between the police and the people possible. The Rai Bahadur, forgetting the suggestion made by the mover, read a lecture to us missing to mover's points altogether and ignoring the suggestions made by my friend Babu Nalinranjan Sarker.

Mr. S. C. BOSE: Perhaps the Rai Bahadur could not understand the suggestion.

Rai HARENDRANATH CHAUDHURI: As my friend Mr. Bose says, perhaps the Rai Bahadur could not understand the suggestion. In supporting the motion, I would ask the Hon'ble Member in charge of the Police Department whether the figures in the Police administration reports justify all that Government claim for the efficiency and good administration of the Police Department—I beg to say an emphatic "No". When moving the previous motion I quoted from the Abstract of Statistics for British India for 1921-22 the percentage of the value of stolen property recovered with reference to the value of the property stolen in Bengal.

1-15 P.M.

But, Sir, what do we find on referring to the Report on the Administration of Police for the year 1923 for the Presidency of Bengal for which he, the Hon'ble Member-in-charge is responsible? We find that it is not even so high. It is something like 6 or 7 per cent. Is the high expenditure on account of police justified by such a return? We see, Sir, on referring to statement I, showing quinquennial statement of true cases of serious crimes, that almost every form of serious crime is on the increase, especially violent crimes, such as dacoity. Here the figures are given for the years 1918-23. It will be seen at once, Sir, that dacoity is not really on the decrease. If in any one year it decreases a little the next year the figure leaps up again. From 1918-23 the figure for dacoity ranged from 640 cases in 1918 to 859 cases in 1923, and in 1924 the figure for dacoity was still higher—it was 870. Therefore, it cannot be denied that so far as Bengal is concerned dacoity is on the increase. Then, Sir, take the figure for murder. It will be seen, Sir, that from the year 1918 to 1923 there has been no improvement in the situation. It was 446 in 1918 and the number of murder cases in 1923 was as high as 549, and in 1924 the same figure

practically holds good; it is 547. This is an evidence of the efficiency of the district police administration! Look at the other figure—the percentage of stolen property recovered. I am reading from the report of 1924. The miserably small percentage will at once show how inefficient the police is so far as detection of cases of stolen property is concerned. It was 6·3 per cent. in 1923: it was 8·5 per cent. in 1924. And I am sure the figure will never go beyond, say, 10 or 11 per cent. Even admitting that the recovery of stolen property in Bengal is something like 10 or 11 per cent., does that figure support the Government case for the efficiency and the good administration of the district police? I submit, it does not. Then, Sir, let us look to the return of cognizable crimes. It will be seen, Sir, on referring to the district figures that in not one district even one-third of the true cases are detected. The figures generally range from 10 to 20 per cent. of the true cases. Is that a position, Sir, which can draw our admiration for the administration of the police and can it really justify the eulogy that was passed by the Rai Bahadur?

The Hon'ble Mr. A. N. MOBERLY: May I ask what the hon'ble member means by detection?

Rai HARENDRANATH CHAUDHURI: I use it in the same sense in which it is used in the report. The Hon'ble Member knows the sense in which it has been used in the report.

This is rotten, the condition which prevails in the district police administration, and I think that the figures justify not only a cut such as has been proposed by Babu Naliniranjan Sarker but also an all-round censure on the district police administration.

Babu SURENDRA NATH BISWAS: Sir, may I know beforehand if I will be given 10 minutes time to have my say? After I have spoken the Hon'ble Mr. Moberly will have the opportunity of replying.

Mr. PRESIDENT: Yes, Mr. Biswas, you can speak.

Babu SURENDRA NATH BISWAS: Sir, I support the motion for my own reasons. My friend, Babu Naliniranjan Sarker, has said that the district police are unpopular, but I beg to say that they are unpopular not so much for their inefficiency as for the policy which guides them. Sir, in all countries, except in India I think, the police are employed to keep law and order, but in this country I say—and I say with all the emphasis I command—that the police are employed as instruments to subjugate the Indians. I shall give one concrete example about it. Sir, I, along with some friends and co-workers of mine, was

arrested under section 17 (2) of the Criminal Law Amendment Act, and my trying Magistrate was a Deputy Magistrate—I am glad to find him here in the visitors' gallery.....

Mr. PRESIDENT: You should not refer to persons in the visitors' gallery.

Babu SURENDRA NATH BISWAS: I beg your pardon, Sir. The charge against us was that we were breaking the peace as volunteers and organisers of the volunteer corps. A police sub-inspector was placed in the witness-box and was asked what we were. The police officer said we were volunteers. Then he was asked what we did. The police sub-inspector said that we sang songs and shouted "*Bande Mataram*" in the streets. Then he was asked what else did we do. The sub-inspector could not understand although he was asked this question several times. The Magistrate then put a leading question to him—Did they break anything? The sub-inspector readily answered "Yes, they broke" but he could'nt say what we broke though repeatedly questioned. Then he was asked directly—"Did they break peace"? "Yes" was the reply given. Sir, that was the way in which the required answer was elicited by the Magistrate from the sub-inspector. I say the fault did not lie with the Magistrate, too, but the system guiding the Magistrate was at fault. (A VOICE: Who is the Magistrate?) I will not give his name. I mean to say that the policy was to ban us and then to punish and the police were utilised to work out the policy. Sir, the police are to execute laws—which are liked neither by the public nor the police themselves. The laws which regulate the police are the laws of a reserved department and the department follows a policy over which the people's representatives have no control. My point is that unless and until that policy is changed, we shall for ever be going on accusing the police as being unpopular. I say if the policy be changed to-day, the district police officers will be popular to-morrow.

Mr. S. C. BOSE: Sir, may I ask for a piece of information? I would like the Hon'ble Member in charge of the Police Department to enlighten the House as to whether the figure of Rs. 1,13,83,750 has been arrived at after taking into account the proposed increase in the pay of European inspectors in the force together with the cost of their free passages home.

The Hon'ble Mr. A. N. MOBERLY: Sir, I have a good deal of sympathy with much that fell from the mover of this motion. He complained that everything was done for the people and not by the people, and that is what I have felt myself for many years past. That is a great difficulty in this country. I have been out to villages

myself, and I have generally found the villagers complaining of something or other. They said, for example—Look at the condition of this road, when is the disrict board going to mend it? I said—Yes, it is a bad road, but what are you doing these days. There is no work in the fields now, why don't you come out with your *kodalis* and put it right. They could not answer. Then they said—we have got no drinking water: look at this dirty tank. I said—If you all come out and work at it, you will be able to clean it up in no time. They would not do this. They would wait for the district board to do it for them. They said that the district board had done it in other places, why should not they do it in their village also.

Well, Sir, Government, or rather the Council, passed an Act by which work of this kind could be done by the people themselves. The people were empowered to tax themselves and raise money for the purpose, so that everyone should pay his fair share and the execution of the work should not be dependent on voluntary subscriptions. But I am sorry to say that the mover of this motion is one of a body of people who are very much opposed to allowing their countrymen to take advantage of that Act. Of course, this has no connection with the matter under discussion, and I do not want to waste the time of the House over it; but is is a point on which I feel deeply, and I therefore asked the House to listen to me for a moment.

Then in the matter of defence parties I have had personal experience in Hooghly, where, I think, defence parties first began their work, or, at any rate, where they were really efficient for the first time. They are a most excellent institution, and I should like to see them spread everywhere. Where these defence parties exist and the people work them, there is co-operation between the people and the police. The defence parties regard the police as their friends and the police regard the defence parties as valuable allies, and between them they do a great deal to put an end to serious crimes against life and property.

As regards the mover's desire to see more progress in education, sanitation, etc., I can only say that I entirely sympathise with him, and I can assure him that the more money that can be spent on these objects, the better pleased I shall be.

We are shortly going to appoint a new Police Standing Committee, and I sincerely hope that whoever the members may be, they will give us valuable opinions and render us such help as will enable us to make the police better and secure for them co-operation from all. I admit that all policemen are not perfect—no body of men can be perfect—but I think the general spirit in the police is that they do want to do their best for the people, whose lives and properties they are there to guard.

Then, Sir, attention was called to the Pabna riots. The Pabna riots, I may say, were rather unprecedented. The police force is nowhere large in Bengal, and I should say it is nowhere in India so

large that it can prevent a sudden uprising over a large tract of country. In Pabna, when the riots took place, the force was not large, and reinforcements had to be rushed in from other places. Not only were these reinforcements sent, they were accompanied by the Divisional Commissioner and one of the much-maligned Deputy Inspectors-General.

Then, it has been suggested that if everybody were armed, that would prevent dacoities. Well, Sir, when I was District Magistrate of Hooghly, to go back again, I used to get many applications for gun licenses. I used to make it a condition before granting a license, that the licensee must turn out if there was a dacoity in his locality. I regret to say that I had to cancel not a few of these licenses, because the holders failed to turn out when occasion arose. There were other cases in which they not only failed to turn out, but their arms were got hold of by the dacoits. That is merely arming the dacoits. Of course, there have been cases in which the villagers have come out most plucky and have done splendid work.

Mr. PRESIDENT: It is 1·30 now. If the Hon'ble Member desires to speak further on the motion, I can put it off till Monday. If he thinks that he has nothing further to say, I can put the motion forthwith.

The Hon'ble Mr. A. N. MOBERLY: I will continue my speech on Monday.

Adjournment.

The Council was then adjourned till 2·30 P.M. on Monday, the 21st March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 21st March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURY, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 109 nominated and elected members.

Starred Question

(to which oral answer was given).

Silt deposits around the pillars of the railway bridge near Ranaghat.

*54. **Khan Bahadur Maulvi AZIZUL HAQUE:** Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether it has been ascertained if the formation of silt deposits around the pillars of the railway bridge, over the river Churni near Ranaghat, is likely to obstruct—

(*a*) the flow of the river, and

(*b*) the traffic on the river?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) and (*b*) It is probable that the silt deposits are only temporary and will not interfere with the flow of the river or with the traffic. There is plenty of water for the latter through the central span.

Unstarred Questions

(answers to which were laid on the table).

Lepers in Calcutta.

127. **Dr. PRAMATHANATH BANERJEA:** With reference to the reply given on the 21st February, 1927, to unstarred question No. 17, will the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) be pleased to state whether it is possible to develop and extend the Leper Asylum at Gobra for the segregation of lepers roaming about in the city of Calcutta?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Mr. Byomkes Chakravarti): It would be possible to do so by acquiring more land, but the Midnapore project is preferable, as enabling the lepers to lead an open air life and engage in agriculture.

Prosecutions for obstructions of footpaths by hawkers in Calcutta.

128. Mr. A. C. BANERJEE: With reference to the reply to unstarred question No. 26 of the 22nd February, 1927, will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the number of prosecutions started by the police for obstruction of footpaths in Calcutta by hawkers during the last 12 months; and

(*ii*) the names of the roads in respect of which the said prosecutions were started?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*i*) The number of prosecutions for street obstruction in 1926 was 49,675. This figure includes both obstruction of footpaths by hawkers and other miscellaneous street obstructions. No separate statistics are available of the number of cases of obstruction of footpaths.

(*ii*) The names of the streets cannot be ascertained without a detailed examination of the case registers involving an amount of labour which could not be justified.

Secretary to the Managing Committee of an aided high English school.

129. Kazi EMDADUL HOQUE: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether there are any rules regarding the duties and responsibilities of the Secretary to the Managing Committee of an aided high English school?

(*b*) If so, will the Hon'ble Minister be pleased to lay copies of such rules on the table?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to frame any rules for the purpose? If not, why not?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): (*a*) and (*b*) Yes, the rules are included in the Grant-in-aid Rules, a copy of which is placed on the library table.

(*c*) Does not arise.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister in charge of the Department of Education be surprised to hear that the Grant-in-aid Rules to which he has referred us are absolutely silent on the point.

Mr. PRESIDENT (The Hon'ble Raja Manmatha Nath Ray Chaudhuri of Santosh): That is a matter of opinion. I cannot allow that questions in that particular shape.

Azimganj City Railway Station.

130. Raja BHUPENDRA NARAYAN SINHA Bahadur of Nashipur: (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state—

(*i*) whether Azimganj City Station on the East Indian Railway is being run with profit; and

(*ii*) whether there is a proposal to abolish the said Azimganj City Station in the near future?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to state when and why it will be abolished?

(*c*) Is the Hon'ble Member aware that the public will be put to inconvenience if the city station is abolished?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. J. Donald): (*a*) Azimganj City Station is being run at a profit, but only at the expense of Azimganj Junction which is half a mile from the city station. There is no intention to abolish the station at present.

(*b*) and (*c*) The questions do not arise.

GOVERNMENT BUSINESS.

Demands for grants.

26.—Police.

The Hon'ble Mr. A. N. MOBERLY: Last Saturday while I was discussing what had been said by Babu Naliniranjan Sarker I pointed out that I should be very pleased to have advice as to the administration of the Police Department from the members of this Council. I do not think therefore that I can at present go fully into the very large question which has been raised of placing the police under the local people.

Coming next to the speech of Rai Jadunath Mazumdar Bahadur, I desire to congratulate him for having the courage to say what many people think about this matter, but for want of courage do not give

expression to their feelings. I welcome the suggestion which has been made by Maulvi Abul Kasem that members who move token cuts should mention beforehand the points to which they intend to draw the attention of Government and I hope that even if all the members of the Council do not do this, Maulvi Abul Kasem will himself at any rate do this in future.

Mr. Nagendra Nath Sen talked about the constables being drawn from the lower strata of society. I shall have to say something about that when the cut for the Police Training School is reached. He also suggested that separate cottages should be provided for constables and their families. I am in entire sympathy with the hon'ble member's desire, but I do not know if he has any idea of what the cost would be.

Coming to Rai Harendranath Chaudhuri's speech, I notice that he had to go back to 1923 and 1924 to get figures to support his arguments. If he will read the report for the year 1925 he will find that there was a very large drop in the number of cases reported and that the total number of dacoities decreased by 199. It is true that only 39 per cent. of the cases investigated were sent up for trial, but it does not follow that the offenders in other cases were not known to and dealt with by the police. It merely means that the evidence on which they could be put on trial for specific offences was not sufficient. Preventive action was, however, taken in a number of cases and the result has been very satisfactory.

As regards the recovery of stolen property, I do not think that this is a true gauge of the efficiency of police work. Much stolen property, such as paddy and rupees is unidentifiable; ornaments are often melted down at once and if notes are stolen unless the numbers had been taken beforehand there is a great deal of difficulty in tracing them.

Finally, I was asked about the proposal that the pay of European inspectors in the Bengal Police should be increased and that they should be given certain concessions and I was asked whether provision had been made in the budget for that. As I have already said on Saturday, no such proposal has yet reached me though I hear it has reached the office. I have not seen it, and have not considered it, nor has it been considered by Government or by the Finance Department. Therefore there is no provision for it in the budget.

The motion that the demand of Rs. 1,13,83,750 under the head "26C—District Executive Force" be reduced by Rs. 100 was then put and lost.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,13,83,750 under the head "26C.—District Executive Force" be reduced by Re. 1 (page 117, Civil Estimate).

Sir, I hope to be brief in my speech on this motion, because most of the stock grievances against the district police have already been dealt with and the stock answers already given. I propose to deal with certain points which I think deserve the attention of Government and of this House. Like all other departments of Government the administration of the district police, Sir, is top-heavy and an enormously large sum of money is spent every year as salaries of the superintending staff. But if the administration is top-heavy it has its redeeming feature, because the ingenuity of the members of Government compensates for the top-heaviness by an extraordinary economy exhibited towards the bottom. The assistant sub-inspectors and the constables, Sir, have to bear the brunt of this ruthless economy. The assistant sub-inspector who is recruited from the same class of people out of whom the sub-inspector is recruited gets only Rs. 25 to Rs. 35 per month and the constable, who is the real guardian of law and order of the almighty British Raj gets a paltry sum of Rs. 16 to Rs. 20 per mensem. Sir, may I ask how can the assistant sub-inspector get on as a self-respecting gentleman with that small pittance and how can the poor constable maintain himself and his family with this paltry sum. To give them salaries like that is nothing but to goad them to a life of dishonesty and corruption: it is nothing but abetting them to a course of action which is disgraceful alike to the service and to the superior administration. If the Government at all cares for the good name of its police and at all cares to do justice to a class of its servants who are prepared to lay down their lives in their interest, they should take immediate steps to thoroughly overhaul the whole system and to revise the scale of salaries of these hard-lotted people and place the same on a satisfactory and more equitable basis. Then, Sir, the Government, I am glad to admit, is fairly scrupulous in maintaining communal balance so far as the administration of the district police is concerned, but there are haters of communalism in that service also who are always on the alert to defeat the just claims of the Muhammadans. These officials have very little scope for interference so far as the direct recruitment is concerned, but there are other fields where they find ample scope for interference. A fairly large proportion of sub-inspectors is recruited from the rank of assistant sub-inspectors and here the resourceful genius of those people find ample play. If I can refer to the case of Faridpur, Sir, till recently one such gentleman was in charge of Faridpur as Superintendent of Police.

[illegible]-45 P.M.

If my information is correct in the course of the last year he nominated half a dozen assistant sub-inspectors for appointment as sub-inspectors and thanks to his freedom from communal bias there was not a single Muhammadan amongst the six. I am afraid that similar tactics are

also taken recourse to in other districts where similar circumstances prevail. I beg to draw the attention of the Government and of the House to this underhand method of cheating the Muhammadan community of its just claims, and hoodwinking the Government into a belief that efficient Muhammadans are not available.

I shall only add on the staff of the Police Training School at Sarda Muhammadans are not properly represented and I hope that Government will see its way to take steps for the removal of this disparity. do not demand that inefficient nobodies should be placed on the staff of that institution simply because they are Muhammadans, but what insist upon is that if the Government really makes an honest attempt without depending upon the reports and certificates of interested persons it will not be difficult to find out efficient Muhammadans with adequate qualifications for service on the staff of that institution. With these words I commend the motion to the acceptance of the House.

The Hon'ble Mr. A. N. MOBERLY: I think this is the third time in the course of the debate on the police budget that I have had to deal with the question of the appointment of Muhammadans. I do not propose to repeat what I said before.

As regards the pay of the constables I am in entire sympathy with the member who has moved this motion and I should be very glad if the constables could get more pay. If the hon'ble member will look at the figures at page 117 of the Budget, however, he will see that even if the Superintendents were abolished the resultant saving would not be sufficient to help the constables very much. I oppose the motion.

The motion of Maulvi Tamizuddin Khan was then put and lost.

The following motion was called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 2,31,300 under the head '26D.—Police Training School' be refused (page 121, Civil Estimate)."

Maulvi TAMIZUDDIN KHAN: In the absence of both Babu Akhil Chandra Datta and Babu Amarendra Nath Ghose, may I have your permission, Sir, to move the motion standing in their names?

Mr. PRESIDENT: Yes, you have my permission to do so.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 3,[illegible],720 under the head "26E.—Special Police" be refused (page 123, Civil Estimate).

The whole of this huge amount is provided for the Eastern Frontier Rifles. To my mind this is nothing but wanton extravagance. It is indeed very rare that the services of this force are requisitioned for

policing duties except for the purpose of firing upon people out of whose pockets they are paid, on most flimsy pretexts as has recently been done at Kulkati in the district of Bakarganj. Is it, Sir, for a purpose like this that we should give our sanction to such wanton extravagance? I need not dwell much upon the degree of civilization of the people out of whom these mercenaries are recruited. Suffice it to say that they are superior enough in mental equipment to their arboreal forefathers in understanding general orders given for firing though not to the extent of discriminating the number of rounds to be fired. Recklessness like this cannot be expected from the intelligent Bengalees or for the matter of that from any of the Indian military races like the Sikhs, the Pathans or the Rajputs. Is it for that reason that the Bengalees are scrupulously excluded from this so-called Bengal battalion? Apart from this deliberate injustice I am not at all convinced, and I think the House is not convinced, that the ordinary police, if efficiently managed, is insufficient for the purpose of maintaining law and order. If so, the ordinary police force can be increased at a much less expenditure. Instead of having resort to such a business-like course Government proposes to perpetuate a useless luxury at the expense of the poor taxpayer whose income is perhaps, the lowest in the world. How can the nation-building departments thrive if the heart of Government is set upon such wild-goose chase? It is time yet for the Government to retrace its steps and prove that it is really sincere in its protestations of friendship for the teeming millions placed under its charge.

I have yet another objection against this military budget of the Government of Bengal. The Eastern Frontier Rifles, as its name indicates, is for all intents and purposes a body of soldiers meant for guarding the eastern frontier. May I be enlightened whether it is intended to use this force in active service and whether it is actually so employed? If so, what justification is there that it should not be made an imperial charge? Is it not merely a subterfuge to help the Imperial Government to rob the Government of Bengal of this huge amount of money, and is the Government of Bengal a willing victim? If so, there cannot be any more cogent reason for this House to record a vote of censure for conduct like this.

Khan Bahadur Maulvi EKRAMUL HUQ: After what has fallen from my hon'ble friend it does not seem necessary that I should dilate on this point any more. One thing I would like to notice in passing: We are told that Government is trying its best to see us educated in the art of governing ourselves for it means to give us full responsible government within a short period of time. But when we find that no efforts whatsoever are made to entrust the policing of the country in the hands of the Bengalees we are tempted to believe that after

all the protestation of the Government is not true. Are we to take it that the Bengalees, the Hindus and Muhammadans are not in a position to occupy the place of these Eastern Frontier Rifles? Is there any dearth of Muhammadans in eastern and western Bengal and also of Hindus of both these parts who can take up this job? I am perfectly certain that both these communities are quite in a position to take up the work and can do this work with the greatest possible success. The only reason that might have led the Government not to bring in these two communities to this force is that these riflemen have nothing to do with Bengal and the Bengalees. I am afraid that this will make us think that Government have not full confidence in the people of the country and in order to avoid this sort of misunderstanding taking root Government ought immediately to disband a force like this and form a force composed of these two communities, for I feel perfectly certain that Hindus, even with the greatest communal bias, would never have carried out the order to more than the fullest extent as has been done by those I feel tempted to call barbarous people. I may also say that Muhammadans if they were called upon to fire upon the Hindus, even if they had the greatest communal bias, would never have carried out the order to more than the fullest extent. In the interest of this country and in the interest of the dignity of the Government which is pledged to grant self-government to this country it seems that we should not have anything to do with a force like this.

Maulvi SYED ABDUR RAUF: I rise to support this motion and my reasons are the following: Sir, in every country the police establishment is indispensable for the maintenance of law and order; so it would be quite absurd to say that we do not require any police establishment in this province. But rather I think it is absolutely necessary that a force of sufficient strength should be maintained to cope with the situation in these days of communal troubles and internecine quarrels. I should also like to say that the police force must be responsible to the people. In this country the police force is kept by the Government not to maintain law and order but to carry out the whims of their masters. As for their responsibility I can say with a clear conscience that they are responsible neither to man nor to God. They are trained in such a fashion and by virtue of their being in the police force they hold such a unique position that they never for a moment dream that they have any responsibility to the public who are maintaining them at the cost of their life's blood. This sense of irresponsibility, Sir, is the root cause of the mal-administration in spite of the heavy drain on the revenues of this province. It is simply astonishing to note that about one-ninth of the total revenue of this province is spent on the police force, and with what

results? It is better to be imagined than to be narrated. Now, Sir, what is this special police? Humanity shudders to name it and blood curdles in one's veins to describe it—it is the Eastern Frontier Rifles which the other day indulged in indiscriminate massacre of unarmed people at Ponabalia.

3 P.M.

This irresponsible battalion is known by its *nom-de-plume* the special police. Sir, is there any shadow of justification on the part of the Government to maintain such a homicidal machinery at a cost of about Rs. 4½ lakhs? Battalions and regiments are required to fight out battles but is there any possibility of any battle either in the present or in the future in this province of Bengal? Is not the rigour of the Arms Act enforced in this province? Is not the ordinary police force of the province sufficient to cope with the situation? Is not the territorial force available in cases of emergency? Why then, Sir, an annual drainage of about Rs. 54 crores from the Indian exchequer? Are the massive gates of Fort William to remain closed for ever unless and until to fight out the Turks in Mesopotamia, or to suppress the national aspiration of the Chinese in the Far East? I find no justification for maintaining the Bengal Battalion. It is nothing but the luxury of the Bureaucracy maintained, simply to vindicate its so-called prestige and dignity which can be better termed vanity. Sir, which is luxury to our Bureaucracy is death to us. Cannot this Rs. 4½ lakhs be utilized in relieving the death agonies of the thousands of people of this province? I strongly protest against this demand and I whole-heartedly support this motion.

The Hon'ble Mr. A. N. MOBERLY: Sir, I tried to explain the other day that the Eastern Frontier Rifles were not rarely used in Bengal. Some of them are stationed at Chinsura and are employed in the mill area year after year at the time of the *Bakr-Id* and the *Muharram*. To go no further than last year the Eastern Frontier Rifles were employed during the last riots they were on duty on the streets of Calcutta from April until January last and they also were sent to Khargpur and Pabna. They also played a very considerable part in quelling the riots in Dacca which, I may say, but for the Eastern Frontier Rifles would probably have been more serious than they actually were.

On all the occasions in which they were called out in recent years, save in one case, they have been able to do their work effectively without firing a shot. The one exception was the unfortunate incident in Bakarganj the other day. Had I had time to reply fully the other day I had intended to tell the House that I myself was not fully satisfied about the firing of 37 shots when only 20 had been ordered. The Commissioner has been asked to make very full enquiries on that point and to examine

every body who can be got hold of to find how it was that so many sho were fired. I may add that I have also asked that very careful speci enquiries shall be made regarding the allegations about the treatmer of the wounded.

To return to the Eastern Frontier Rifles, this force is a very highl disciplined force and as I have said in most cases their mere presenc is sufficient to quell disturbances. If they are abolished we shall hav to increase the ordinary armed police to a very large extent and should certainly have to ask for more money. The military force in Bengal are not too strong and they are stationed in Calcutta Barrackpore and Lebong. It is very necessary to have a highly di ciplined force to supplement the military.

As regards the nomenclature of the force I have been unable i the few minutes which have elapsed since this motion has been move to find out why it has been so called. But I may say until a fev years ago it was known as the Bengal Military Police. There may be members of the House who were present when the Act under whicl the Eastern Bengal Rifles have been constituted was passed and they may be able to answer the question.

The Territorial Forces are not intended to be called out for ordinary police purposes. They are people who have other duties to perform and they would be the first to grumble if they were sent to Bakarganj one day, Chittagong the next day and Pabna the next, and so on.

I hope, therefore, the House will reject the motion.

The motion that the demand of Rs. 3,74,720 under the head "26E. —Special Police" be refused was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Atiqullah, Maulvi Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitandralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Biswas, Maulvi Abdul Latif.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Huque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mawla, Maulvi Choudhury Golam.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Dr. Sidhan Chandra.
Roy, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sadeque, Maulvi Mohamed.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syemkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Dahen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Ghosh Maulik, Babu Satyendra Chendra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Gofran, Maulvi Abdul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Reikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray, Mr. S. N.
Saehse, Mr. F. A.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Soleiman, Maulvi Muhammed.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 43 and the Noes 53 the motion was lost.

The following motions were called but not moved:—

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 3,74,720 under the head '26E. Special Police' be reduced by Rs. 1,74,720 (page 123, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 7,11,400 under the head '26F. Railway Police' be reduced by Rs. 100 (page 124, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 18,000 under the head '26G. Criminal Investigation Department Temporary Establishment' be refused (page 128, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 3,00,000 under the head '26G. Criminal Investigation Department Temporary Force' be refused (page 128, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 1,21,000 under the head '26G. Criminal Investigation Department Travelling Allowance' be refused (page 129, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 11,000 under the head '26G. Criminal Investigation Department Rewards' be refused (page 129, Civil Estimate)."

3-15 P.M.

Mr. P. C. BASU: Sir, with a certain amount of trepidation, I beg to move that the demand of Rs. 1,00,000 under the head "26G.—Criminal Investigation Department—Secret Service money" be refused (page 129, Civil Estimate).

Trepidation, I said deliberately, because who does not feel concerned for an imminent onslaught on his liberty by the kind offices of this department? Is there any personal freedom in this land of ours? Are not we helots and serfs in our own country? Who does not know of the *lettres de cachet* possessed by this department for the arrest of peaceful and law-abiding citizens who happen to belong to the Congress or Swarajya party—if they stand in the way of the bureaucracy—I repeat it with all the emphasis in my command—in spite of whatever has been said or may be hereafter said by the arch-propagandists, Messrs. Birkenhead, Reading & Co., of Fleet Street? Who does not know that our innocent patriots are detained and rotting in confinement for the kind attention of this department? Who is it that does not know, Sir, what black things are done and diabolical methods adopted by this department in the name of law and order? Where is the guarantee that the members of this department are above human frailties and would not retaliate for the grudge or malice they bear against any one of our party? The secret service has been maintained by the Executive for their nefarious schemes in shutting out honest political activities of the people. The department has been maintained for the enthronement of the bureaucracy and consummation of bureaucrats, and God willing their consumption. The department has been utilised for the prevention and negation of realisation of responsible Government by peaceful agitation. This department has been maintained to stifle public movements, public activities and demoralise people. Since the non-co-operation movement, every Congress man is pledged to be non-violent. In spite of the pledge why is it that prominent Congress men were arrested and are detained at the instance of this department under the cover of Executive decrees, lawless laws. Mention was made the other day by my hon'ble friend, representing the University of Calcutta, of the memorials sent by two of the détenus, Srijuts Jiban Lal Chatterji and Bhupendra Nath Dutt. Did they not categorically threw out a challenge somewhat in this language? The revolutionary movement after the non-co-operation movement is a bogus thing, stage-managed by the Criminal Investigation Department and the crimes attributed to it were inspired, engineered and committed by a group got up by the *Agent Provocateur*. Why was not the challenge accepted by the Government? For obvious reasons! The House can surely read between the lines and draw its own inference. I need not comment on it. The problem of the said *Agent Provocateur* which was an anathema

to Anglo-India was solved by Sir Reginald Clarke, *ex*-Commissioner of Police, Calcutta, and we have now a vague admission by the Hon'ble Home Member about the existence of this wretched creature.

Sir, whenever any question arose about the reduction, abolition or discontinuance of this department, one would find evidence concocted or a "find" effected by this abnormally superfluous body of men to justify their existence. Does not the House remember that when the leading men of Bengal were arrested during the Partition days, the Governments of two Bengals, aye the Government of India as well, proclaimed with thundering trumpets at the instance of this department that they were guilty of anarchical crimes "criminally connected with criminal plots"? Nearly 15 years after Sir Hugh Stephenson rose from the Treasury bench to announce in this House that two of them at any rate were not guilty of such crimes. Strange revelations indeed! I predict and I hope the House will bear with me when I say that another Sir Hugh will sooner or later rise from the Treasury bench to make an announcement in this House that our beloved patriots, the flowers of our nation, namely, Srijut Subhas Chandra Bose, Satyendra Chandra Mitra and the rest were all innocent as babes so far as anarchical crimes were concerned. Sir, Lord Lytton in his anxiety to support the Black Ordinance dubbed them as revolutionaries and outlaws. Has not His Lordship come down from that altar and made a frank confession the other day that some of the patriots are at any rate detained not for participation in any actual crimes but for the purpose of preventing them from committing any? May I remind His Lordship that Lord Minto was snubbed by his chief Lord Morley for the same arguments which the latter, I mean Lord Morley, described as "Russian argument" Has it worked brilliantly in Russia? It is indeed an irony of fate that the argument is still tolerated in this land of ours. Remember, Sir, history, though not often, repeats itself. Sir, the other day when Lord Irwin visited Calcutta and there was a rumour about the release of political prisoners, what happened? This department lost no energy in bagging a big game and what was it?—an empty bomb shell and a loaded revolver in a hut where the anarchists were sleeping with doors ajar for an easy catch a collusive judgment thereafter

The Hon'ble Mr. A. N. MOBERLY: I rise to a point of order. Is the hon'ble member in order in describing the judgment as a collusive one?

Mr. PRESIDENT: I could not hear the Hon'ble Mr. Moberly distinctly. Is the case *sub judice*?

The Hon'ble Mr. A. N. MOBERLY: The case is not *sub judice* but I think the hon'ble member's remark is a reflection on the court.

Mr. P. C. BASU: I mean the judgment is collusive between the parties.

Mr. PRESIDENT: Mr. Basu, you may proceed within proper limits.

Mr. P. C. BASU: Has the House forgotten that the other day, after the resolution about the release of political prisoners was passed unanimously by the elected representatives of the people, this department replied to the debate by the arrest of four or five persons under the cover of lawless laws. I wanted to ask the hon'ble member representing Nadia if these persons were his friends and workers during his election campaign, but I find that he is conveniently absent today. It is rather a curious coincidence that whenever there has been a sitting of this House or of the Assembly or in Great Britain of the House of Lords or the House of Commons and a demand has been tabled for responsible government or release of the detenus, or repeal of repressive laws there has been one or another outrage or discovery of dangerous explosives or incriminating literature. Indeed it is coincidence and reasons are obvious.

I am now going to ask the House some simple questions through you, Sir. Are you going to be a party to these nefarious schemes of this department? Will you allow the patriots to remain in indefinite detention? Are you going to perpetuate the preservation of this system and place in their hands a handsome sum of a lakh of rupees? In this connection, I shall refer you again to the statement of Srijut Bhupendra Nath Dutt which is as follows:

"The secret service created *agent provocateur*, murders and acts of lawlessness were committed at their instigation; needless and lamentable loss of life and property was caused; these were used to put impediments in the way of public movements and public activities; on the strength of those inspired outrages, we were deprived of our personal liberty; we challenge the existence of any proof against us; we clearly pointed out where real murder gang was; we demanded an impartial inquiry; the inquiry was not held; still on the strength of materials created by the secret service, an Ordinance was passed seriously menacing the liberties of innocent public workers."

Then, Sir, in the light of these observations, I hope the House will surely come to the only conclusion that can be arrived at, that the demand for secret service money for filling the pockets of the *agents provocateur*, spies and informers, the dregs of society at the cost of the public to serve the public in the outrageous manner they do, should not be countenanced by this House and the same should be refused.

Mr. S. C. BOSE: Mr. President, in rising to support this motion, I desire at the outset to draw the attention of the House to what Sir Reginald Clark, the predecessor in office of Sir Charles Tegart, said regarding the secret service. In the year 1925, he said that it was one of the most dangerous weapons that any Government could use. He said further: "I have had much experience of these agencies in the East and often wonder whether they do not raise more devils than they lay". That is a tribute which the late Commissioner of Police gave to the secret service, of which he had much experience.

Now, Sir, let us see how this money has been utilised in this country. In this connection, may I, with your leave, read a few passages from the memorial of the two détenus, namely, Jibanlal Chatterji and Bhupendranath Dutt, which has already been referred to by my friend, the member for Burdwan. It appears in a book, entitled "Lawless Laws". I have no doubt that the publishers of this book are indebted for its title to Mr. Byomkes Chakravarti—the simple Mr. Byomkes, the people's Mr. Byomkes. At page 57 of this book, appears a passage which is extremely relevant to the matter before you.

"After our release when we first joined the Indian National Congress and the N.-C.-O. movement we found mixing freely with the young men of the country, amongst others, a certain person whose name we are ready to disclose in case of a proper and impartial enquiry into this most serious affair."

It is needless to say, Sir, that the challenge was not accepted. They further proceed—

"We have knowledge that while previously locked up in jail as State prisoner this man along with some others of his ilk was in touch with and helping the Secret Service even from Jail. While the Non-violent N.-C.-O. movement was at its full swing, he was trying to incite young men to form a party of violence. He tried to persuade even some of us to take up the leadership of such a party as against the party of Non-violent N.-C.-O. which according to his preachings was doing immense harm to the country. Failing to instigate persons who knew something of men and things, he began to characterise those persons as having turned moderate and we know that with an amount of oratory and supported and financed by dark powers from behind he succeeded in getting together a batch of young men. We have very strong reasons to believe that whatever political violence has been committed in Bengal after the Non-co-operation movement is the activity of this group consisting of the innocent dupes of this *agent provocateur* and was incited and engineered by him."

3-30 P.M.

And, Sir, the reward was that these gentlemen who were trying to prevent young men from falling victims to the viles of this *agent*

provocateur, who was financed by these dark powers was that they found themselves in jail soon after.

Their restraining influence was removed, by those dark powers, who, we all know, are represented in this House by the members on the Treasury benches. They say, "we were thrown into prison and a free hand given to the powers of evil, and these inspired outrages continued unabated resulting in lamentable loss of life and property and causing infinite harm to the national cause. This *agent provocateur* has been systematically screened from public eye, and unobserved this creature of the secret service has been made to do whatever his masters have been wanting of him. His name once leaked out in an indentification parade in connection with the Alipore Conspiracy Case and it came out in the court that his name had been penned through and that of an accused put instead. For obvious reasons, this point was not pressed by the counsel for the defence"

Mr. J. CAMPBELL-FORRESTER: On a point of order, Sir. Is the hon'ble member in order in reading such lengthy extracts from a book?

Mr. PRESIDENT: He should be allowed to proceed.

Dr. BIDHAN CHANDRA ROY: Do you feel upset Mr. Campbell-Forrester?

Mr. S. C. BOSE: Then, Sir, there are more direct references in this book to the way in which secret-service money was being spent by the agents of the State You will find a reference in page 75 of the same book which is as follows:—

"You may put some questions regarding the nature of the activities of *ex-State* prisoner Shisir Kumar Ghose since 1921. If anything was paid to him for tour all over Bengal in 1921? (Mind you out of the secret service money). What was the object of that tour? Is it a fact that he was called by Mr. Tegart a few days before Sankaritola outrage?"

"Is it a fact that the Deputy Inspector-General, Criminal Investigation Department, instructed the prosecution to withdraw the case of Kona murder against Haren and Sailen? Will the Government produce the correspondence?"

"Also please ask some questions about ex-internees Ram Bhattacharjee and Suhrid Roy who were supplied the money for their journey to Europe? How do they maintain themselves in Europe? What is the nature of their activities there and of Kshitish Biswas in America? Is it a fact that all the four men acted as informers during internment?"

Now, Sir, I have given the House some idea as to the manner in which secret service money is spent—I submit that I am entitled to comment upon it, because though this challenge was thrown out in July, 1924, it has not yet been accepted: though these political détenus asked for the constitution of a fair and impartial tribunal, that tribunal has not yet been constituted. And why not? The reason is not far to seek. Because the agents of the State—these dark powers had not the courage to face the enquiry, because they knew that once this enquiry was held in the presence of these two gentlemen, all their talk about criminal conspiracies, about smuggling of arms and revolvers would vanish into thin air, and it would be discovered that out of the secret service money the agents of the State had been coining—concocting—evidence with a view to putting innocent men into jail.

Now, Sir, the activities of the secret service are not new to this country or any other country. The British secret service played the same trick in other places; and it is now a matter of history—because the Irish Free State is now a friend and a part of the British Empire—it is now a matter of history—disclosed by the biographer of Michael Collins that Burns who used to pass off as "Jameson" in British Labour circles and posed as a Bolshevist was really a British secret service agent living on British secret service money, fattening on it and trying to concoct false evidence against Michael Collins and his associates. Nor, Sir, are the activities of the secret service confined to one department only. It is carrying on its nefarious practices into almost every department of the State. And today before this House I choose to make this charge and I make this charge without fear of any contradiction—that the agents of the secret service have entered into almost every department of the State. There is hardly a post office in Calcutta—I will go further and say that there is hardly a post office in Bengal—where the agents of the secret service are not allowed admission, and there under the leave—under the licence—of of the State private letters are opened—private telegrams are opened. And if the Hon'ble Mr. Moberly consents to hold an impartial enquiry, evidence will be forthcoming—evidence of eye-witnesses who will bear testimony to this—that in the Bowbazar post office—I just name one of them amongst many others—the agents of the secret service have been and are opening letters of private citizens and destroying the sanctity of private communications. And why? Forsooth, on the chance of getting some evidence possibly regarding the preparation of *sandesh* and *rasogollas*! Innocent words are given sinister meanings by these agents of the secret service—a meaning peculiarly their own. And I say, Sir, that if the Government have the courage to face an impartial enquiry, we, at least, on this side of the House, are prepared to take part in that and to give evidence to show that the secret service agents are not only dogging the steps of honest citizens,

not only following you when you are coming out of your houses, not only following you when you are going to the Council Chamber or to the Corporation Chamber, but that their activities are on the increase day after day. We shall show that private letters, private telegrams, private documents, are opened, that some of them are taken from the post offices to the Criminal Investigation Department headquarters and opened there. Evidence of all these will be forthcoming—and I challenge the Government to contradict me. Now, Sir, it is because of these secret service agents that we hear of "Red leaflets and so on. Is it not strange, Sir, that people in England heard about red leaflets long before you ever heard of them—long before news about red leaflets were circulated in Calcutta or other parts of India? There, again, I say it is not a new trick: it is a trick which has been played by the British secret service agents in Ireland too. For do we not all know that "white leaflets" bearing the words "An eye for an eye", "A tooth for a tooth", "And therefore a life for a life" were distributed in Ireland on note-papers belonging to the Dail Eireann? The discovery was subsequently made by Michael Collins—and it is also now matter of history—that these were typed by a ginger-haired typist of the Intelligence Department of Dublin district of the English army in Ireland.

Now, Sir, I think, I have given the House sufficient indication of the activities of the secret service, and it is for the House to consider whether it is going to support a body of men who are mysterious in their approaches, insidious in their ways, no doubt persuasive in their manner and eloquent in their voice, but who, all the time, are spoiling the youth of the country by corrupting their morals, and concocting evidence for the purpose of putting innocent men to jail. It is for this House to proclaim in no uncertain voice—and I certainly expect the nationalist members to do so—whether they are going to support any longer a body of men who have blackened the face of this land and who are a disgrace to any civilised society. And I should have thought that any Government which pretends to be civilised and at the same time employs men on such nefarious mission would hang down its head in shame!

Rai JADUNATH MAZUMDAR Bahadur: Sir, all services are more or less secret, and it is only by an accident that this branch of the Police service is called a secret service (cries of "Louder, please"). I do not know whether the whole police service is not secret. Do the police reveal to us all that they are going to do in the course of their investigations? I do not think so. They carry on their investigations secretly. The secret service is intended to detect the secret designs against the people and the established Government of the country of the day. I do not know whether any gentleman here—

European or Indian—is free from the attentions of the secret service, not even excluding the members of the Treasury benches. It cannot be said that the secret service is intended only for Indians.

Sir, I would ask my friends on the other side to point out any country in the world—I should say any civilised and independent country—which has not its secret service. Has not Japan, an oriental independent country, a secret service? Has not the United State of America, which is an occidental country and one of the most civilised in the world, a secret service? Has not England—the liberty-loving England—got a secret service? And who is the man who has not been subjected to the attentions of the secret service so far? If I am not mistaken, even Lord Haldane was not free from the attentions of the secret service during the Great War. But no one need be afraid of the secret service or of the secret police if he himself is honest and if he has not any secret designs against anybody. Further, the secret service system is sanctified by custom. If we go back to the period of the early *Vedas*, we find that all the kings had secret services of their own. Even Ram Chandra had his secret service of which Sita was a victim. (Ironical cries of "Hear, hear"). I find in the Mahabharata that Yudhishthir and Kuru Kings had their secret service. Where is the country which has not got its secret service. All that is necessary is that the members of the secret service should be strictly honest, and, I say, that the duty of the Government is that they should be chosen with strict care so that they may not report wrongly or dishonestly against anybody for serving any ulterior purpose of their own. Sir, all governments are imperfect—I wish there were no governments at all in the world—but imperfect as the Government is all its institutions must be imperfect also. And, so, if it requires a strong army in order to fight its open enemies, it must have a secret force—a secret service—to fight against the attacks of designing men.

3-45 P.M.

The Hon'ble Mr. A. N. MOBERLY: Sir, I do not propose to take up much of the time of the Council and shall try to be as brief as possible. I think that if members would study the Rowlatt Report they would come to the conclusion that there must be something in this allegation of ours about the existence of a terrorist conspiracy. Moreover, I would ask them to consider quietly why on earth Government should concoct anything of the sort, or be a party to it. What has Government to gain by doing this? (A VOICE: What did they gain in Ireland?) They have everything to loose and nothing to gain. If my friend, Mr. Bose, had continued to read Sir Reginald Clarke's letter to the *Times*, I think, he would have found that even Sir Reginald Clarke admitted that special measures were necessary to deal with anarchical crime. I denied the other day, and I deny again, that we have ever used *agents provo-*

[illegible] As long as a youth is opposed to Government and takes part in the conspiracy, he is one of the flowers of the nation, but when he thinks better of it, sees the futility and wickedness of his action and helps the authorities, he becomes one of the dregs of society. It is easy for people to make all sorts of allegations against the secret service and against the agents who give information to the police. They know perfectly well and they have been told time after time that we cannot produce these agents, because their lives would be in danger.

I am glad that the question of the working of the Criminal Law Amendment Act has been raised in this debate, because I wish to take the Council into my confidence as regards a case which has caused intense interest in Bengal, *viz.*, the case of Mr. Subhas Chandra Bose. I think that members will agree that the incarceration of Mr. Bose has exposed this Government to very severe criticism and in my opinion it follows perfectly logically that if Government have not released him or at any rate relaxed the degree of restraint to which he is subjected, it is because they honestly believe that it would not be safe to do so. (Laughter.) The present situation is that both Government and Mr. Bose realise that they can detain him until the expiration of the Criminal Law Amendment Act. Unfortunately, Government have received unfavourable accounts of Mr. Bose's health. He was examined jointly last month by his brother Dr. Sunil Chandra Bose and Lt.-Col. Kelsall, a senior medical officer in Burma. I do not propose to read the entire report of the examination as I am afraid that time will not permit, but I will read the general conclusion at which these two medical officers arrived.

Dr. BIDHAN CHANDRA ROY: Is the Hon'ble Member in order in referring to these things? We are now discussing the secret service grant.

Mr. PRESIDENT: I think he should be allowed to proceed.

The Hon'ble Mr. A. N. MOBERLY: "Although one of us has only seen him recently for the first time, we agree that his general appearance is not indicative of good health. Taking into consideration his loss of weight, his slight but persistent rise of temperature, we are inclined to the view that there is a possibility of early tubercle, although there is not evidence on which to base a diagnosis. We agree that if he were a private patient of either of us our advice to him would be to regard himself as a suspicious case of early tubercle, and to put himself under the best conditions as regards climate, food, rest, etc., to combat this disease. We do not regard the conditions under which he must necessarily be during confinement in jail as conducive to the restoration of his health."

Subsequently Dr. Sunil Chandra Bose wrote a further report in which he said:—

"In regard to the diagnosis and treatment of Mr. Subhas Chandra Bose's illness, I am prepared to go one step further. After carefully weighing the evidence before me, I should regard his case as definitely one of tuberculosis of the lungs. My advice regarding treatment resolves itself into—

(1) immediate taking of a sea voyage; and

(2) prolonged stay in a sanatorium in Switzerland of which I have recently had intimate personal knowledge and experience."

Lt.-Col. Kelsall saw the note and merely stated:—

"I have nothing to add to our joint note which, I think, expresses the exact condition of affairs."

It will be seen that at the moment Mr. Subhas Chandra Bose is not seriously ill and is certainly not incapacitated, but he has been advised to take a sea voyage and, if possible, to go to Switzerland. Now, the Criminal Law Amendment Act does not run outside Bengal except as regards detention in jails in other parts of India. All that we can do under the Act consistent with safety is to arrange for his transfer to a jail in a better climate, and that is not what is recommended. Government are not prepared to bring him back to Bengal and in any event we are advised that Bengal would be as bad as or worse than Burma for his health.

Effect could only be given to the suggestion that Mr. Bose should go to Switzerland if he were released, and if he were once released there would, in the ordinary course, be nothing to prevent his returning to Bengal at any time, a contingency which Government are not prepared to face. We are anxious, however, that Mr. Bose should have such opportunities as we can afford him recruiting his health. We are, therefore, prepared to release him if he will give us his word of honour that he will proceed from Rangoon to Europe by a ship which does not touch at any port in India and that he will thereafter not attempt to enter India, Burma, or Ceylon until the Bengal Criminal Law Amendment Act has expired. It will be observed that we shall not demand any admissions as regards his past or any promises as regards his future conduct: we are merely asking that we may be kept in the same position as regards the control over his movements in India as we are at present. This proposal has not been made to Mr. Bose as I do not wish him to think that we want to force it upon him, but I put it forward publicly in order that if he thinks fit to avail himself of it, he will know in advance that we are prepared to accept it.

The motion that the demand of Rs. 1,00,000 under the head "26G.—Criminal Investigation Department—Secret Service money" be refused was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Md.
Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Premotha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Saci Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bajay Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Maulvi Khorshed Alam.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jagesh Chandra.
Nimatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Tarakanath.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sanyal, Babu Sachindra Narayan.
Sarker, Babu Naliniranjan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Babu Nagendra Nath.
Sen, Mr. Satish Chandra.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Chakravarti, the Hon'ble Mr. Syamkos.
Chaudhuri, the Hon'ble Nawab Bahadur Sayyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmad Khan.
Gilchrist, Mr. R. N.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Millar, Mr. C. C.
Miller, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Traver J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kishaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Saahib, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Skinner, Mr. S. A.
Sulaiman, Maulvi Muhammad.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 48 and the Noes 57 the motion was lost.

4 P.M.

The following motions were called but not moved:—

Khan Sahib Maulvi ABDUS SATTAR: "That the demand of Rs. 1,00,000 under the head '26G.—Criminal Investigation Department—Secret Service money" be reduced by Rs. 50,000 (page 129, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 5,000 under the head '26G. Criminal Investigation Department—Rewards to private persons' be refused (page 129, Civil Estimate)."

Mr. P. C. BASU: "That the demand of Rs. 46,000 under the head '26G. Criminal Investigation Department—other non-contract charges' be refused (page 129, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI and Babu ROMES CHANDRA BACCHI: "That the demand of Rs. 10,00,530 under the head '26G. Criminal Investigation Department' be refused (page 129, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 10,00,530 under the head '26G. Police Criminal Investigation Department' be reduced by Rs. 5,00,000 (page 129, Civil Estimate)."

Babu AMARENDRA NATH GHOSE and Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 10,00,530 under the head '26G.—Criminal Investigation Department' be reduced by Rs. 100 (page 129, Civil Estimate)."

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 10,00,530 under the head "26G.—Criminal Investigation Department" be reduced by Re. 1 (page 129, Civil Estimate).

This motion is therefore for a token cut of rupee one to signify our want of confidence in the department.

Sir, the work of this department has been anything but satisfactory. We all know that crimes of a heinous nature are rather on the increase in Bengal. The instances are rare where any preventive measure had been taken with any amount of success by the department. The only line of activity through which it seeks to justify its existence is by carrying on a crusade against the politically minded youths of Bengal. Of course, we denounce all crimes of a violent nature, political or otherwise, but at the same time we hold that all activities conducted on legitimate and non-violent lines by the people to liberate the country from alien domination are not crimes and all attempts directed to crush this natural and honest sentiment, though conducted in the name of law and order,

are highly criminal. If any realiable evidence is found to bring the offenders to book—do by all means bring them to trial. We cannot support any act of detention by Government merely on suspicion. It is highly unfair and unjustifiable. We know that merely on suspicion men like Subash Chandra Bose and Satyendra Chandra Mitra have been incarcerated for an indefinite period! Popular opinion has been expressed on this matter (denouncing the action of the Government) in an unmistakable and emphatic manner without evoking any response from the Government. This utter disregard of public opinion on the part of Government is due to information supplied by the Criminal Investigation Department, but from what sources do this all-knowing department gather information. We know, Sir, that many of these young men have been arrested on the basis of information supplied by people whose integrity is certainly not unquestionable. We know some instances where the nefarious activities of the *agents provocateurs* have come to light. It is a standing disgrace that our guardians of law and order should be mainly guided by manufactured evidences and information supplied from such doubtful quarters. Justice and fair play demand that we should not put up with such Star Chamber practices in Bengal. There should be open and fair trial in all cases.

We have reason to believe that it is this department that has persistently and obstinately opposed the demand for the release or trial of the political detenus of Bengal, and on account of this opposition the Government of Bengal is hesitating to give effect to the reasonable wishes of the people.

Here the time-limit under the head "26.—Police" having been reached, the motion of Srijut Jogendra Nath Moitra was put and lost.

The motion that a sum of Rs. 1,72,25,000 be granted for expenditure under the head "26.—Police" was then put and agreed to.

The time-limit under the head "26.—Police" having been reached, the following motions were not put:—

Maulvi ABDUL LATIF BISWAS: "That the demand of Rs. 70,000 under the head '261. Works' be refused (page 129, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,72,25,000 under the head '26. Police' be reduced by Rs. 72,25,000 (page 109, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,72,25,000 under the head '26.—Police (Reserved)' be reduced by Rs. 8,00,000 (page 109, Civil Estimate)."

Mr. P. C. BASU: That the demand of Rs. 1,72,25,000 under the head '26.—Police (Reserved)' be reduced by Rs. 2,30,000 (page 109, Civil Estimate)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 1,72,25,000 under the head '26.—Police' be reduced by Rs. 2,25,000 (page 109, Civil Estimate)."

Rai JADUNATH MAZUMDAR Bahadur: "That the demand of Rs. 1,72,25,000 in respect of 'Police' be reduced by Re. 1 (page 109, Civil Estimate)."

27.—Ports and Pilotage.

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 7,67,000 be granted for expenditure under the head "27.—Ports and Pilotage".

The statement in the blue book, the finance statement of the Government of Bengal, explains very fully the provisions under this head. There have been some slight changes in classification but the statement given fully explains the expenditure proposed for the coming year.

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 7,67,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 2,00,000 (page 130, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 7,67,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 1,67,000 (page 130, Civil Estimate)."

Babu SURENDRA NATH BISWAS: With the permission of Mr. President I move the following motion standing in the name of Babu Naliniranjan Sarker: "That the demand of Rs. 7,67,000 under the head "27.—Ports and Pilotage" be reduced by Rs. 100 (page 130, Civil Estimate)."

My object in moving this motion is to criticise the action of Government with regard to the Marine Department. Firstly, I would say that pilots are available at every main station on the steamer lines and so I think it is not necessary for Government to pay any money to the steamer companies for the supply of pilots. But the Hon'ble Member in charge of this Department may say that there being an establishment kept up by the steamship companies it is less costly for the Government of Bengal to get pilots from them. But I can meet this argument saying that at the time of giving license to the steamship companies for plying steamers it should be made a condition precedent that they should keep up a proper establishment for pilots. However that is not so much my point as to criticise the inaction of Government with regard to the treatment these steamship companies mete

out to the travelling public and the staff. Sir, the steamship companies do not care for the comforts and convenience of the travelling public. Firstly, the companies do not keep to proper timing in respect of arrival and departure of steamers generally at all but particularly at intermediate stations. They may say that it is not ordinarily possible for them to keep to the time, but I submit, Sir, that it may be made possible for them to do so if the cargo steamers and passenger steamers are made separate. Passenger steamers are used as cargo-carrying vessels and this is the reason why they cannot keep to the time.

Secondly, there are waiting rooms no doubt at some of the steamer stations but they are too incommodious and uncomfortable for the passengers. We see waiting rooms at railway stations but compared with them the waiting rooms at the steamer station may be said to be mere apologies of waiting rooms and they look more like cow-sheds than rooms for human beings. No bathroom nor any urinal nor any privy is provided for. Besides these the treatment meted out to intermediate and third class passengers is quite unsatisfactory and deplorable. Tickets are issued without any regard to the capacity of the steamers and as a result thereof there is always a great rush of passengers almost on all the lines. As a result thereof the passengers are put to enormous trouble. Then, Sir, no distinction is observed amongst the different kinds of animals that are booked. The cattle and men are treated as things of the same category. I can give one example of such treatment. Last year I was on board a steamer which was bringing cattle from a *mela* and a large number of passengers. Some ladies, of course third class passengers, were on board and they had to come down to use the privies on the lower deck. When they were coming out of privies they were attacked by the cattle which were tied to the privies. Just fancy, how terrible it was for those ladies but this is the way in which passengers of third and intermediate classes are treated every day. I draw the attention of the Hon'ble Member-in-charge to the fact that the steamship companies make no distinction between men and cattle.

4-15 P.M.

Then, again, Sir, no decency is observed in regard to the privy arrangement. The Hon'ble Mr. Donald the other day in reply to a question made on this point by Mr. Kiran Sankar Roy said that decency is observed, but from personal experience—as I travel in all the classes, in the first class with Government money and in the second, inter and third classes with my own—I say the privies in the steamers are just like the privies in the jails. There is no separate door for each privy but in one room there are five or six privies with one door at the outside. I leave it to the sense of decency of this House and of the

Hon'ble Member-in-charge to judge how decent this arrangement is, but the people have to abide by it while on board the steamers.

Then, about the food articles that are available on board for purchase by the passengers I can say that they are mostly rotten. Most of the members of this House have not had the advantage or occasion of eating the food articles which are sold for intermediate and third class passengers but I do purchase these food articles and can say from personal experience that they are mostly rotten and proper care is not taken about them.

Now about life belts and life boats, I say they are very few and quite inadequate for the number of passengers that get on board.

Then about station houses and godowns also I have some grievances. The station houses are mostly wretched and unclean. The steamer stations of Khulna and Madaripur, although they are very important stations in this line, are only apologies of steamer stations. They have no plinth nor ceiling. Most of the godowns have no plinth and are damp. Goods and other articles of the public are kept on the damp floor and get spoiled. These godowns in most of the stations are also unprotected and I learn that the staff are often punished for thefts of articles from the godowns. These poor people are made responsible and not the superior officers who are guilty of negligence for not keeping strong-built godowns.

Lastly, Sir, I should fail in my duty if I do not bring to the notice of the Hon'ble Member-in-charge treatment that the staff gets in the hand of the companies. These people are ill-paid. The salary, I am informed, begins from Rs. 20 and the increment is very low and poor and I learn not more than Rs. 10 increment can be availed of by any servant of the ordinary grade. These people, Sir, are not supplied with quarters except the station masters. Even the station masters' quarters are wretched and poor. The leave that can be availed of by these people is very short. They are given leave for 15 days throughout a year with pay and that leave, I am informed, is not even ordinarily given to all persons. Distinctions are always made with regard to leave. Increments and promotions are not made with regard to seniority of service; they are made at the sweet will of the superior officers.

Sir, these are the people who are really the producers of the extraordinary income of the steamer companies but the matter of regret is that these very people are starved to fatten the superior officers of the companies and their shareholders.

These are the facts to which I draw the attention of the Hon'ble Member in charge of this department and I request him to make a sifting enquiry into the matter by a committee composed of non-official and official members of this Council and if that committee is not possible to be appointed by this Government I appeal to the

Hon'ble Member to move the Government of India to make an enquiry into those grievances, the grievances of millions of people of this province. It is needless to say that redress of those grievances will bring untold good to the silently suffering staff and the travelling public.....

Mr. PRESIDENT: I am afraid you are now merely repeating what you have already said. You had better resume your seat.

Babu NAGENDRANATH SEN: May I speak something if I have your leave?

Mr. PRESIDENT: Yes, Nagendra Babu.

Babu NAGENDRA NATH SEN: Under the Indian Steamship Act the steamer companies have got several privileges. They are given some rights and some privileges so it is amenable to public criticism. Hon'ble members of this House who had been on board an inland steamer ship of the I. G. S. N. or I. S. N. may well understand the rotten condition of things on board the ship. Inhuman treatment which is accorded to third or inter class passengers baffles all description. In the first place there are no regular waiting rooms at any of the stations. In this Council, Sir, I wanted to ask a question with regard to the want of suitable waiting accommodations at steamer ghats but that question was disallowed. Members of this House are well aware that the mismanagement of the steamship companies is so much felt by the general public that no less than 5 resolutions were brought before this House but for want of time hon'ble members were compelled to refrain from speaking. I do not understand why a committee of enquiry should not be possible.

If the steamer companies are entitled to some subsidies I think they should welcome such a committee of enquiry.

With regard to the question of passenger fares obtained from steamship companies they are raised and varied without any rhyme or reason. In some cases the mileage in third class passenger fares comes to 6, 7, or 8 pies and there are arbitrary additions sometimes.

The Hon'ble Mr. J. DONALD: Sir, these questions do not arise out of the budget. The money in the budget is for works performed for us by the steamer companies. As these companies are private companies I do not see how we can go prying into their methods of business, any more than we could into the business of any other private firms. If we see that the steamship companies carry out the requirements and maintain vessels according to the Act and Regulations, that is primarily sufficient for our purposes. But I may say myself that I have travelled many times in these steamers. I have seen

everything from bow to stern and I cannot believe that things are in the condition described by the speakers. I am sorry I could not deal with this question on the resolutions which were to have been moved when I could have gone into the matter much more fully. But these things, I repeat, have nothing to do with the budget.

The motion that the demand of Rs. 7,67,000 under the head "27.—Ports and Pilotage" be reduced by Rs. 100 was then put and lost.

The following motion was called but not moved:—

Rai JADUNATH MAZUMDAR Bahadur: "That the demand of Rs. 7,67,000 in respect of 'Ports and Pilotage' be reduced by Re. 1 (page 130, Civil Estimate)."

The motion that a sum of Rs. 7,67,000 be granted for expenditure under the head "27.—Ports and Pilotage (page 130, Civil Estimate)" was then put and agreed to.

[At 4-30 P.M. the Council was adjourned and it reassembled at 4-40 P.M.]

30.—Scientific Departments.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 23,000 be granted for expenditure under the head "30. Scientific Departments."

Dr. PRAMATHANATH BANERJEA: May I ask a question, Sir? Last year a sum of Rs. 4,200 was granted to the Varendra Society. This year the grant has been reduced to Rs. 3,450. This Society is doing excellent work and the members of Council would like to know the reason for the reduction of this grant.

The Hon'ble Mr. J. DONALD: The reason is that a special grant was made for three years for the employment of a curator on Rs. 250 per month. The sanction expires in November next and the provision is made for his salary for nine months instead of twelve.

Dr. PRAMATHANATH BANERJEA: May I have some information? Is it not correct that this Society was given to understand that the grant would be renewed? I hold in my hand a letter.....

Mr. PRESIDENT: You need not read out the letter. What you should do is to put a question and put it in proper form?

Dr. PRAMATHANATH BANERJEA: Is it not a fact, Sir, that this Society was given to understand that after the lapse of three years the grant, *i.e.*, the salary for the curator, would be renewed?

The Hon'ble Mr. J. DONALD: I cannot exactly say whether the Society was given to understand that this grant would be renewed, but the position is that if the Society make out a good case, the case for a renewal of the grant will be considered.

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

31.—Education (Reserved).

MEMBER in charge of DEPARTMENT of EDUCATION (EUROPEAN EDUCATION) (the Hon'ble Mr. J. Donald): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 12,26,000 be granted for expenditure under the head "31.—Education (Reserved)."

The expenditure is much the same as in previous years.

The following motions were called but not moved:

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,38,000 under the head '31B.—Education (Reserved)—Direct grants to non-Government Secondary Schools—European and Anglo-Indian Education' be refused (page 137, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,38,000 under the head '31B.—Education (Reserved)—Direct grants to non-Government Secondary Schools—European and Anglo-Indian Education' be reduced by Rs. 2,38,000 (page 137, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 6,51,000 under the head '31B.—Education (Reserved) Secondary' be reduced by Rs. 5,01,000 (page 137, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,16,000 under the head '31D.—Education (Reserved)—Special' be reduced by Rs. 58,000 (page 141, Civil Estimate)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 12,26,000 under the head '31.—Education (Reserved)' be reduced by Rs. 100 (page 137, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: I beg to move that the demand of Rs. 12,26,000 under the head "31.—Education (Reserved)" be reduced by Re. 1 (page 137, Civil Estimate).

[At this stage, the Hon'ble the President left the Chamber and the Deputy President took the Chair.]

Sir, I have been engaged in educational work for many years past, and it is not my intention to reduce the grant made for the purpose of European and Anglo-Indian education even by one rupee. In my opinion the European community, like the other communities, should be educated, and it should be afforded the best facilities for education. But the education of the European community, as of every other community, should be on proper lines. I should like, however, the House to insist on proper training being given to the children of the European community, in order that they may know what their duties are to this country and to its people and that they may not ill-treat the people either by word or deed. In this connection, I desire also to point out that there is a great disparity in the amounts spent on European education and on education of the Indian community. The European community is a handful, counted by thousands, whereas the Indian community of Bengal is over 45 millions. Now, if you look at the amounts spent for these two communities respectively, you find that there is a great deal of difference. I think it is high time that this disparity should be removed, not by curtailing the education facilities of the European community, but by affording greater facilities for the education of the Indian community.

Mr. E. T. McCLUSKIE: I am glad to find that Dr. Banerjea is not proposing a cut in the grant for European education and I appreciate the remarks he has made that we should try to teach our children how to treat the Indian people. I appreciate these remarks.

With regard to the question of the amount spent on European education as compared with the population, the House must try and remember that we cannot subsist on the same rates of living as Indians. Our cost of living is different, our conditions of life are different; therefore, our cost of education is also different. There are also different fees levied in our college as compared with another college. I quite agree with the usual remarks that are made that the cost of European education is a great deal more, as compared with the population, than the Indians. There are 50,000 primary schools for Indians, whereas we have got only 63 schools in the whole presidency. We have got only 10,000 pupils in those 63 schools. Our cost is more because of the fact that our teachers cost more, our buildings cost more, everything cost more. I quite admit

that the expenditure is greater, but we also contribute large sums to the revenues of the province in the same way as others. We pay taxes, house rents and import duties on the articles we consume at a higher rate. So I say that we want more money. As a matter of fact some of our schools are being neglected, there being no chance of getting money from Government: Government say that they have not got the money. We have not been able to provide increased accommodation, and as an instance of this I know one particular school, *viz.*, the Calcutta Free School, which had to refuse numbers of children admission because they had not had the money to meet expenses and to maintain additional teachers.

I therefore oppose the motion.

Mr. L. T. MACUIRE: I am very pleased to find that my friend Dr. Banerjea does not propose any cut in the grant for European education. It is very gratifying to hear that. I quite see his point and that is that he does not object to our being educated, but what he wants is that all the other Indians should be afforded adequate facilities. I quite admit that, and I am sure it is the desire of everybody that education in this country should be as complete, as thorough and as universal as possible. The difficulty is in finding ways and means. I do not think it would be suggested that a few lakhs of rupees cut from Anglo-Indian education would be of any use to India or Bengal.

The other point raised by Dr. Banerjea is that our education should be on proper lines. I am sorry I do not quite agree with him in this respect. There is perhaps no doubt that the various sections of the Indian people do not understand each other as thoroughly as they ought to, for we have Muhammadans who do not understand Hindus and probably Anglo-Indians and persons born in this country do not understand the other Indians as well as they should. But that has nothing to do with the question of education. I should say this is rather a defect in the social system. What opportunities have we of mixing with these people? What opportunities have we of understanding their mentality? What opportunities have they of understanding us? Have we any chance of mixing with them freely in social life? This is not a matter that can be settled in school. It is rather a bigger problem. I think those members of the House who have been educated in European schools would admit that all classes of children in European schools, whether Muhammadans, Hindus, Parsees or Europeans, mix very freely together. By mixing together they commence understanding each other and often life-long friendships are formed. It is not the system of education, rather it is a question of devising some means by which people could mix together in social life and so understand each other.

Dr. Banerjea has referred to the heavy cost incurred on our education. We appreciate that, but is the *per capita* the right criterion on this point? We are differently situated. The cost of our education is higher for a variety of reasons. I would ask my friend just to look at the figures before him and take the commercial value of European education. What would it cost if Anglo-Indian or European education is commercialised? You will find here in the budget that Rs. 3,86,000 is being spent on education in Government schools. What does that represent? That represents the cost of European education as a commercial commodity and it represents the amount of money spent on four schools. Look at the other side of the picture. What do the non-Government schools get? They get about 7 to 8 lakhs of rupees. How many schools are there in the province? There are 64 schools, of which 4 are Government and 60 private schools. These 60 private schools get about 8 lakhs of rupees. Now, hon'ble members will probably appreciate that that is not on the commercial basis, for if so, it would be on the same basis as that which obtains in the Government schools. This is merely because the European and Anglo-Indian community appreciate that Government cannot supply them with more schools as they have not got the money. The Missionary's efforts are wonderful in this direction. What we are doing for the education of our community is simply extraordinary and what is greater still is the amount that is spent. If hon'ble members will please refer to the last report on public instruction, they will find that the community contributed 16 lakhs of rupees in fees — the correct figure is Rs. 16,26,440. Now let us consider the population and the number of people who pay this. The Anglo-Indian population is 33,000, the bulk of the children are Anglo-Indians. Half of this population are males, and statistics show that of the males half are married and the other half not married. Therefore they are about 8,000 who pay Rs. 16,00,000 a year. I would ask the hon'ble members to consider again the resources of this community. The average salary is about Rs. 250. Can we do more for ourselves? I really do not think that we can. We simply cannot do it. If we could, we would, but we cannot. Therefore I submit that, though it seems very disproportionate, when you take it in the abstract considering the surrounding circumstances, you will admit I think that the community does all that it can possibly do and that it is entitled to the consideration of the great majorities of the country and of the Government.

Dr. PRAMATHANATH BANERJEA: May I ask my hon'ble friend through you a question? May I know if he is prepared to lay down any standard for allocating expenditure between the Indian community and the Anglo-Indian community? I do not personally raise

the question of standard, but he has raised it. Is he prepared to lay down a standard?

Mr. L. T. MACUIRE: I do not propose to lay down any standard, but what I say is this that there is an existing standard which we are compelled to live up to for a variety of reasons and I am sure my friend would not suggest that we should lower that standard. If you examine the matter, you will find that it is the minimum standard that we can possibly live up to. It is not a very high standard when you analyse it. I would like to see 10 crores of rupees spent on Indian education, but what I say is this "Do not cut ours" and I would like the hon'ble member to understand that we are doing the best for ourselves, and, if possible, give us something more.

The Hon'ble Mr. J. DONALD: I appreciate Dr. Banerjea's speech in that he does not propose to cut down this grant. He does not contemplate a reduction of the money being spent on Anglo-Indian education but would press for a greater expenditure on the education of Indians. As a matter of fact, however, this particular Budget covers not only European and Anglo-Indian education but also our expenses on the Hazaribagh Reformatory and the schools in the Chittagong Hill Tracts and in Darjeeling and as I think Dr. Banerjea is no doubt aware that there are also Indians studying in these various European and Anglo-Indian schools. I should have been fully prepared to meet any proposal to cut down this expenditure. Apart from the reasons which have been given by previous speakers there are some other considerations which have a very pertinent bearing on this question. One cannot be unmindful of the fact that throughout Bengal there are a number of Englishmen, Scotsmen and Irishmen who have come out to this country and are educating Indians, earning probably nothing at all or on a mere pittance. Much is being done in this line for the education of Indians and I venture to assert that if all this was worked out it would be found that debt was quite on the other side. But I do not wish to pursue this question to-day, as Dr. Banerjea has said that the real issue is the grant of more money for Indians and primary education.

5 P.M.

As regards his remarks about the training of boys and girls, I can assure him that I will bring them to the notice of all those whose business lies in the training of these youths. I hope, Sir, that in view of these remarks, Dr. Banerjea will see his way to withdraw his motion.

The motion of Dr. Pramathanath Banerjea was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 12,26,000 be granted for expenditure under the head "31.—Education (Reserved)" was then put and agreed to.

6.—Excise.

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (EXCISE) (the Hon'ble Mr. Byomkes Chakravarti): Sir, on the recommendation of His Excellency the Governor, I move that a sum of Rs. 22,98,000 be granted for expenditure under the head "6.—Excise" (page 37, Civil Estimate).

Before I deal with the general aspect of the question, I should like to say a few words. The attention of the Government has been recently drawn to the question of temperance. Only a few days ago there was a deputation headed by Sir Deva Prasad Sarvadhikari to bring to the notice of His Excellency the Governor and of his advisers the steps which have been taken and are proposed to be taken in connection with the question of excise.

The long list of motions for the refusal or reduction of grants under this head is an indication of a wide-spread public feeling in regard to the consumption of alcoholic liquor and drugs. As the Council is aware, Government have re-examined the question of providing facilities for the supply of liquor and drugs and have restated their excise policy in a resolution, dated the 27th November, 1926. I am not going to read that resolution, but that resolution deals comprehensively with the question of the policy of the Government, and as I have given the date to the House, it was as late as the 27th November, 1926. The policy of Government is to impose a high rate of taxation on intoxicating articles with a view to making them as dear as possible for individual consumer and thereby keeping their consumption at a minimum. I may mention for the information of the House that facilities for the supply of liquor and drugs have been gradually restricted, their consumption regulated, and shop sites have been continually brought under examination in reference to objections of local people.

Government are frequently charged with subordinating their excise policy to financial considerations. I maintain that there is not the least justification for that accusation. It is quite true that the province cannot afford at present to do without the excise revenue in the sense that if we forego that revenue we must either increase taxation elsewhere or restrict the field of Government activities in some way to establish equilibrium. The question of finance may hamper the pace of giving effect to a determined excise policy but it has very little weight in deciding what is the right excise policy. If we were convinced that prohibition was the right policy, I would assure the House that Government would definitely work towards it in spite of the financial loss involved though the pace of our progress in this direction might be somewhat slow having regard to our necessities in other directions.

As, however, stated in the resolution which I have already cited, Government have decided to make a definite advance in the direction of

extending popular control over licensing. With this object in view licensing boards have been established in 4 selected districts of this Presidency, *viz.*, 24-Parganas, Dacca, Chittagong and Rangpur, representing various interests and with—mark the words—a non-official majority. (A VOICE: "How constituted?")

It is hoped that as a result of this experiment it will be possible to bring about a wider extension of effective popular control of licensing over the greater part of the province in the near future and thereby further the cause of temperance.

As regards opium we are taking measures to regulate and check its consumption, wherever necessary, in order to enable the Government of India to fulfil their international obligations. We have decided to take steps for the collection of more accurate information regarding the origin, nature, and extent of opium consumption in the province and with this object in view we have directed that in selected areas the sale of opium should be conducted under arrangements which would permit of a record being maintained of the nature of the demand from its medicinal as well as other aspects. We have also decided to introduce legislation at once with a view to penalising opium-smoking by other than registered smokers.

So long as the excise traffic is to continue the Council will, I am sure, agree with me that an adequate establishment should be maintained for the efficient administration of the department and for prevention and detection work. As to the staff I would mention that the question of its curtailment was recently examined thoroughly by Government in connection with the retrenchment proposals when the establishment was reduced so far as could be possibly done without seriously affecting the working of the department.

Now I leave it to the members to deal with their amendments.

Srijut TARAKNATH MUKERJEA: Sir, I beg to move that the demand of Rs. 8,100 under the head "6A.—Excise—Superintendence—Allowances" be refused.

Sir, at the beginning let me congratulate the Hon'ble Minister in charge of the Excise Department for his sincere endeavour for promoting the cause of temperance in the country by raising the excise duty. Sir, I beg to point out that, as the Excise Superintendents of the province are whole-time Government servants paid by the State, this extra allowance is quite unnecessary, and so I hope the House will refuse this demand.

Mr. C. S. DUTT: Sir, I do not really understand the idea underlying the hon'ble member's motion. He does not, apparently, suggest that the staff of Excise Commissioner and Deputy Commissioners should be abolished. It is admitted.....

Srijut TARAKNATH MUKERJEA: On a point of personal explanation, Sir. The object of my motion is this. What I mean to say is that these Excise Commissioners are actually paid from the State and as such an additional allowance is quite unnecessary.

Mr. C. S. DUTT: I say, evidently the member is under a misapprehension as to the object of this allowance. The member apparently agrees that it is necessary to maintain a staff of Excise Commissioner and Deputy Commissioners in order to administer the department and to supervise the detection and prevention of excise offences. Very well, if that is conceded you will have to admit that in order to discharge these duties they will have to have facilities for moving about in the districts.

Mr. S. C. BOSE: On a point of order, Sir. Whom is the hon'ble member addressing: he ought to address you.

Mr. C. S. DUTT: I am addressing the Chair. But, surely, in addressing the Chair I am entitled to look at the members on the other side of the House and enjoy the sight of my friends. I do not know why Mr. Bose objects, as I was looking at that side in an appreciative manner.

As a matter of fact, this demand is not for the Excise Superintendents but for the supervising staff the Commissioner and the Deputy Commissioners of Excise. You cannot expect them to sit in Calcutta and exercise an effective supervision over the whole province. Sir, in connection with another demand we heard one member from that side of the House criticising the Members of the Government for not doing enough touring so as to be conversant with the state of affairs in the mufassal. Another member from the same side now comes out with the complaint that they should not tour at all, and he suggests that they should not be given any money for touring. In connection with the motion for cutting down the travelling allowance for the Members of the Executive Council we were told by some members on that side that they would not mind the demand being larger as they wanted more touring to be done. (Cries of "Who said that", "No one said that", "Nobody said it".) I heard it said, but I am subject to correction: (Cries of "Imagination", "Hallucination".) I say you cannot have it both ways. When you are confronted with your own argument you ought to have at least the courage to admit that you used that argument.

Babu NALINIRANJAN SARKER: That is the monopoly of the Treasury benches.

5-15 P.M.

Mr. C. S. DUTT: The point is that if you admit that the officers should supervise the department then you cannot expect them to sit down in Calcutta and exercise supervision without going out to the mufassal. It follows therefore that we must give them a grant for travelling allowance and this allowance is meant for that. It is a grant for the travelling allowance of three gazetted officers, *viz.*, the Excise Commissioner and his two Deputy Commissioners. Surely, if you are to expect them to travel widely throughout the province in order to take steps for the prevention of excise offences, then for three officers a sum of Rs. 8,000 can hardly be considered excessive. As a matter of fact there has been serious complaint from these officers that owing to the stringency of the budget and the fact that Government are unable to provide more money under the head "Travelling allowance". .....

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. May I know whether the hon'ble member is now addressing the Chair? The hon'ble member seems to be confusing the Administrative Department with Inspection and Prevention, because, Sir, I find on page 40 that a sum of Rs. 29,000 has been provided under the head "Inspection".

Mr. C. S. DUTT: Let me enlighten the hon'ble member on this point. The hon'ble member will understand that this demand under "Excise" is under several different heads and the one we are now dealing with is for the superintendence of the whole of excise administration of the province. .....

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. He referred to these two words "Inspection and Prevention" and I find that a sum of Rs. 29,000 provided under this head on page 40.

Mr. C. S. DUTT: If my hon'ble friend will have patience to hear me and let me finish my sentence I think he will be amply rewarded. Under this head we are now dealing with the question of superintendence, that is to say, the duties and functions of the Excise Commissioner and the two Deputy Commissioners. Therefore, as it is obvious that it is intended to help them in the supervision of their staff throughout the province and to take steps for the prevention of excise offences, it is necessary to allow their travelling allowance. The item to which my friend has referred on page 40 is meant for the presidency establishment and refers only to the Calcutta establishment and when we come under that head I shall explain to my hon'ble friend what

that item is meant for. Sir, we have often heard complaints from the members of this side of the House about the misdeeds of the subordinate excise staff and if they expect Government to keep a proper check over these alleged misdeeds, I think, it is necessary that you should make adequate provision for the touring of the superior staff in order to ensure that all the officers under them carry out their duties properly, and it is also necessary that the Excise Commissioner and the Deputy Commissioners should go about and meet the members of the public in all districts and consult them regarding the excise administration. We have got Advisory Committees in each district who deal with excise matters and the general complaint is that their wishes are not always respected by the Collector or by the Superintendent of Excise in matters of location or abolition of shops when new settlements are made every year. Well, it is necessary that Government should be satisfied that these recommendations of the Advisory Committees are attended to by the local staff, and by the district authorities. Therefore, not only for the purpose of checking excise crimes and detection of excise offences but also for keeping a proper check on the working of the district staff as well as to keep in touch with the members of the public that it is essential that these officers should tour over the whole province. I need hardly remind you of the wide extent of the area of this province and of the heavy expenses that have to be incurred in the matter of travelling. In the case of a large part of the province which lies to the east of Calcutta and which is known as Eastern Bengal, travelling has to be performed either by launches or boats, which entails a very heavy expenditure and therefore the question of travelling allowance is really a very sore matter and I should say that members instead of objecting to this small item of Rs. 8,000 under this head of travelling allowance should express a similar sentiment to that which one member expressed in the case of travelling for the Members of the Executive Council, *viz.*, that this allotment should be increased instead of being diminished. In this connection I should like to say that a good deal of trouble and time would be saved if the members who have tabled motions for reduction would only make previous enquiries from the Hon'ble Minister in charge or from myself so as to obtain correct information on the actual items to which they desire to draw attention.

Babu JITENDRALAL BANNERJEA: On a point of order, Sir. Is the hon'ble member in order in tendering advice to the House at large?

Mr. C. S. DUTT: Well, Sir, we have so much of advice from that side of the House that I think we are justified in offering a little to them in return.

Babu NALINIRANJAN SARKER: Can he take so much time over this Rs. 8,000?

Mr. C. S. DUTT: Sir, it has been asked why I am taking so much time. I was simply trying to explain that if the members would adopt the procedure I have suggested in regard to other motions then a great part of the time of this House would be saved and it would really go to effect a great economy of time under the other heads. My point, Sir, is, that this question of travelling allowance is a matter in which Government ought to have the sympathy of the House and I think the House will allow it. I hope the member will withdraw his motion.

Rai HARENDRANATH CHAUDHURI: May I speak, Sir?

Mr. DEPUTY PRESIDENT (Khan Bahadur Maulvi Emaduddin Ahmed): After the official reply has been given, I am afraid, I cannot allow any other member to speak.

Rai HARENDRANATH CHAUDHURI: May I ask a question, Sir?

Mr. DEPUTY PRESIDENT: Of course, that you can do.

Rai HARENDRANATH CHAUDHURI: May I enquire as regards this item relating to the travelling allowance of the Commissioner of Excise what retrenchment has been effected since the Retrenchment Committee made their recommendations in respect of this item? I should like to know exactly what retrenchment has been effected?

Mr. C. S. DUTT: On which item?

Rai HARENDRANATH CHAUDHURI: On the item of travelling allowance. In paragraph 26 of their report the Retrenchment Committee said: "in the matter of travelling allowance we shall give our proposals in another chapter, but we think it desirable to note here that the travelling allowance charges of this department have doubled in the last six years". That is evidently an implied recommendation that the charges under this head should be reduced.

Mr. C. S. DUTT: On that point, Sir, I again suffer from the same difficulty which I was trying to explain. If members suddenly spring upon the unfortunate occupants of these benches impromptu questions on matters of details and expect us to give detailed answers that is hardly fair. If our friend had taken the trouble to come and ask

me about it this morning in office, I would have gladly given him all the information he wanted.

Maulvi ABUL KASEM: I want to raise a point of order. If the Government were in difficulty it was their business to ask for notice and when they have failed to do that they have no reason to complain now.

Mr. C. S. DUTT: The question is what retrenchments have been made under this head of travelling allowance since the recommendations of the Retrenchment Committee. I can give the hon'ble member to-morrow the exact figures and the decision arrived at by Government on the recommendations of the Retrenchment Committee. If he will however, only refer, to the budget estimate he will find at least a partial answer to his question. He will find that the actuals for the year 1925-26 under this head were Rs. 11,179, the budget estimate for 1926-27 was Rs. 14,500 and the revised for 1926-27 was Rs. 13,600. Therefore for the next year the estimate being Rs. 8,000 only the enquiry scarcely arises. I would again request the members to take the trouble of looking at the budget estimate before asking such questions and that would certainly save considerable time and trouble.

The motion that a sum of Rs. 8,100 under the head "6A.—Excise Superintendence Allowances" be refused was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Mr. S. C.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Hasain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Nazimuddin, Mr. Khwaja.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Sarker, Babu Naliniranjan.
Sen, Babu Nagendra Nath.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Gupt, Mr. G. S.
Eddis, Mr. A. McD.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyenjra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.

Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
Jenmaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosana Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 33 and the Noes 54 the motion was lost.

Adjournment.

The Council was then adjourned till 2·30 P.M., on Tuesday, the 22nd March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 22nd March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 111 nominated and elected members.

GOVERNMENT BUSINESS.

Demands for grants.

6.—Excise.

Maulvi ASIMUDDIN AHMAD moved that the demand of Rs. 1,14,000 under the head "6A.—Superintendence" be refused (page 38, Civil Estimate).

He spoke in Bengali the English translation of which is as follows:—

"I rise, Sir, to protest against the excise policy of Government. I do not know that the country derives any benefit by maintaining an Excise Department and I do not know whether Government obtained the sanction of the people when they first started this department. Sir, I am sure that no section of the people supports the excise policy of Government, because it is a source of great evil and is responsible for the ruin of numerous families.

Sir, what are the duties of Government? Is it a duty of Government to induce the poor people to take to drugs and thereby to ruin their character and their career? And how do Government spend the money received from excise duties? They spend their ill-gotten money on unworthy objects and not on ameliorating the miserable condition of the people. Instead of lifting up the people from immorality to morality, from ignorance to literacy and from evil to goodness, they allow sign-boards to be put up on public streets to show that intoxicants are sold there.

Sir, this excise policy of Government is responsible for many social evils, acts of hooliganism, riots and even occasional murders. In 1924 a token cut of Re. 1 was passed by the House to express disapprobation of Government's excise policy but it produced no effect on Government. We see that instead of penalising the habit of taking intoxicants, Government directly encourage it by legalising their sale. Such action is really unjust and offensive. Intoxicants are prohibited both by Islam and Hindu religion.

Under these circumstances I think that nobody will oppose the present motion. I request my Muslim friends, in particular to support it."

Sir ABD-UR-RAHIM: I support this motion. I am sorry I was not present in the House when the Hon'ble Minister in charge of the Local Self-Government Department made his statement on the question of the excise policy of the Government, but I have read very carefully that statement as reported in the papers. I am constrained to say that it is impossible to find out from that statement what the policy of the Government is in this very important matter. He says the Government is not convinced, at any rate the Hon'ble Minister is not convinced, that prohibition is the right policy to adopt in Bengal. I can understand that but I ask the House how many Indians, educated and thoughtful Indians, are there who think the same in this matter as the Government does. I say hardly any. There may be a few exceptions. But I do say boldly that the excise policy of the Government runs counter to the sentiments and deep-rooted convictions of the Indian communities—Hindus and Muhammadans. Then it has been very difficult for me to find out what the Government has been able to effect by way of minimising the consumption of liquor in this province. The Hon'ble Minister has said that they have been trying to give effect to the policy of local option. But what has been the result? He does not tell us that there has been any diminuation in the consumption of liquor, if there has been any diminuation in the outturn it is due to the communal riots but not due to any change in the policy of Government in this respect. What is the good of talking about local option and regulating the sales when as a matter of fact there is as much as if not more liquor consumed now than ever before in this province? But, Sir, the question before the House is one of even greater importance than prohibition and it is this—is the Government of Bengal justified in carrying on trade in liquor in this province—because its policy is nothing short of this. The Government is carrying on trade in liquor because it yields considerable revenue. The Hon'ble Minister says that it is not a question of revenue, it is not the policy of Government that the Excise Department should be carried on for the sake of revenue. I am afraid, Sir, in saying this he is speaking only from a brief. He

really does not know the facts. I am absolutely sure that the Government would give up this excise but for the revenue they derive from it. If that were the policy of the Government, *i.e.*, if their only anxiety was to diminish and regulate the sale of liquor and other injurious and intoxicating drugs in this country, the question still would be, should the Government be allowed from any consideration whatever to carry on trade in liquor? Have they not established distilleries every-where? Have they not been licensing shops? Have they not been licensing agents for the sale of liquor all over the country? Is this to be permitted in India, in Bengal? I submit it is a policy which must be put a stop to at once. I do not think in any civilised country Government carries on trade in liquor. So far as I am aware it may not prohibit the manufacture and sale of liquor but for a civilised Government to carry on such a trade is inconceivable.

2-45 P.M.

It is a fact that without excise the revenue of the Government of Bengal would suffer by Rs. 2 crores or a little more. I say, even if that be so the Government of Bengal ought to go up to the Government of India with this proposal that Bengal does not want to make revenue out of the trade in liquor but that the Government of India must adopt other means to make up the loss. Take, for instance, the imported liquor—that does not touch the poor and ignorant classes. I say that the policy of the Government in this respect is all the more unjustifiable because it affects injuriously the poorer and ignorant classes. The Government of India can make up the loss that would be incurred by giving up their excise policy in this province by raising the duty on imported liquor. That at any rate would not in any way affect the poorer classes in the country. I say, Sir, this is an immoral traffic, it is an immoral trade that is being carried on by Government and it is profitable to Government because it is a monopoly of Government but the sooner it is put a stop to the better.

Kazi EMDADUL HOQUE: In days of yore, I mean in pre-British days, India was a land of *shadus* and *sanyasis*—*pirs* and *fakirs*—The generality of the people of India were of religious temperament. They were unused to inebriating drugs and narcotics, and unused to exhilarating drinks, nay, they considered it to be a great sin to be addicted to such things and ceremoniously avoided all sorts of intoxicants.

But with the advent of the British people in India a change has come over in the temperament of her innocent children. Surely it was not a change for the better. The British people whose *summum bonum* of life is eat, drink and be merry, brought in their train a number of social evils which at first effected the aristocrats of our country but have since then percolated through the different strata of our society and eventually overtaken the poor peasants in their sequestered retreats.

Now let me not be misunderstood for aught I speak as inveighing against Christianity or the Founder of that Religion Lord Jesus Christ (peace of God be upon him and his descendants) for I as a Mussalman must have a profound reverence for him but my invectives are directed against the latter-day Christians who fell from the lofty standard of morality preached and taught by that Saviour of mankind.

Sir, it is believed that the Government is the defender of the faith of its peoples and the protector of their religion but the Government of this country never scruples to ride roughshod over the feelings and sentiments of its Indian subjects. And although the Hindu and the Muslim religions condemn the use of intoxicating drugs and drinks in unmistakable terms and make it sinful for their votaries to indulge in them yet the Government studiously hoodwinks its follies and induces the people of this country to fall into the grip of moral turpitude.

No doubt there are excise advisory committees attached to every local and district boards but with what result? These local bodies pass resolutions recommending the abolition and reduction of excise shops but their recommendations have had the honour of being trampled down under the gigantic feet of the bureaucracy. And notwithstanding the clamour of the people of this country every town is being dotted with taverns and every village is being sprinkled with grog and opium shops.

At Naogaon subdivision in Rajshahi, Government has begun ganja cultivation on an extensive scale and it is to its credit that the people of that subdivision have within a short space of time been able to kick at the injuctions of the Koran and the Hadis and the Vedas and the Purans. It certainly redounds to the glory of the British Raj that claims to be the custodian of the People's faith.

Now the Government of our country has no respect for our feelings, and cares not for the injunctions of our religions, but it allows the immoral and illicit traffic to be carried on notwithstanding our protestation.

Sir, the Government of this country is a foreign Government. Its solicitude for the people of India is merely superficial. It is bent upon enriching England and improving the conditions of the white people inhabiting every part of the globe. If in doing that it impoverishes India it does not care. Wherever we cast our look we find that the Bureaucratic Government established in this country has been exploiting us for the benefit of the white races including the trans-Atlantic tribes.

There are white people in England and in other parts of the globe who work at distilleries and wine factories. Their interest must be safeguarded.

It is an indisputable fact that England is not like India a *shujala, shufala and sashya shyamala* country. There can be no denying the fact also that she is not a self-contained country but has to look upon other countries for her existence. To solve also this economic problem of that country our Government has decided to give full scope to immoral drug traffic at India's cost. Oh! crores of rupees are annually conveyed to the houses of the white manufacturers of wine, etc., and by opening an Excise Department here in India the Government has been giving the European officers holding eminent posts of that department full facility to draw upon India's resources and to carry as much wealth home as they can.

Sir, I know that our cries will be lost in the wilderness but we have no other alternative but to denounce the action of the Government in all possible ways we can and to face this question with strenuous opposition. The world-wide agitation set on foot by Mahatma Gandhi against intemperance proved barren and his sublime teachings fell flat on the big ears of the white bureaucracy who have brutally treated the leaders and volunteers of that agitation and incarcerated the whole lot of them for the unpardonable guilt they have committed by imploring their countrymen to give up drinking and smoking.

Sir, the moral degradation of our people has reached its climax and if we yet sleep over these moral diseases that have been eating away our soul and body, then this fair land of ours which was once a land of *shadhus* and *sanyasis*, *pirs* and *fakirs*, will be a rendezvous of the satans and devils. I dare say, Sir, if we do not move in the matter then you and we shall all be accountable to God for our culpable indifference. With these few words I wish to support the motion.

Mr. K. C. RAY CHAUDHURI: Sir Abd-ur-Rahim has just pointed out that no other civilised Government encourages sale and manufacture of country liquor through so many agencies as the Government of Bengal, but that is not the fact. If he will kindly come with me to French Chandernagore he will see that an up-to-date Government distillery supplying country liquor to more than 26 shops, and the beauty of this is that the people of Chandernagore do not drink—it is the outsiders who come there that patronise the shops. The Hon'ble Minister in charge of Excise deserves our best congratulation for stating the excise policy of the Government. That portion of his speech indicating high rates of taxation on intoxicating articles and thereby reducing consumption is most welcome to the advocates of Temperance. I am not one of those impatient idealists who want to see India dry within a few days or months by statutes or ordinances. I believe in streng prepaganda and social service to spread the growing temperance movement in villages and in industrial areas and I would like to see that Government comes forward with funds to

encourage the activities of Temperance societies and Federations functioning in this city as well as in the mufassal. The Hon'ble Minister promises to take steps for extending popular control over licensing through Excise Advisory Committees and Licensing Boards and giving non-official majority to the members. This is no doubt right steps towards local option. But I must, however, ask the Government to reconsider the question of the power and policy of these committees and boards. I honestly believe that reduction of liquor or drug licenses, say in this city of Calcutta, or approval and disapproval of sites where intoxicants are sold or proposed to be sold does not appreciably advance the cause of Temperance for the simple and patent reasons that the abolition of a liquor shop in any particular area is invariably followed by proportionate increase in consumption of liquor in shops in the adjoining area.

Dr. BIDHAN CHANDRA ROY: Sir, I rise to a point of order. Is the hon'ble member entitled to discuss the whole excise policy while we are on this motion?

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): A member may not be entitled; but it is in my discretion to allow him to do so. He may be allowed to speak on the general demand.

3 P.M.

Mr. K. C. RAY CHAUDHURI: I am inclined to think that reduction of licenses under the present condition only amounts to robbing Peter to pay Paul and eventually leads to concentration of the trade in intoxicants in the hands of a few. There are about 43 opium shops within the excise jurisdiction of Calcutta including the suburbs and the towns of Howrah and Hally, and the total sale per year is about 11,500 seers or an average of 267 seers of opium per shop. Suppose the Licensing Board, in order to allay public agitation decides to reduce opium shops from 43 to 30—the result will be that 13 vendors will go to the wall and the surviving 30 will have their incomes increased by 1/3. As a matter of fact there are individual opium shops in Harrison Road licensed to lucky vendors who drive about in cars and whose individual sales and profits are enormous compared with those of owners of dozens of shops in different parts of the city, who cannot even afford to keep bicycles. The same analogy applies to country liquor and ganja shops. I must urge the Government not to follow blindly a policy of robbing Peters to pay favourite Pauls and I would like to see that the large country liquor and drug shops are split up so that vendors get more or less uniform allotment of articles for sale as far as practicable.

I must also sound a note of warning to the Excise authorities and the licensing boards and committees not to attach undue importance

to objections against sites almost invariably engineered by interested parties or by parties imbued with a bit of blackmailing spirit. I take this opportunity to state what happened last year in connection with a proposed site within 50 yards from Lalbazar Central Police Office for removal of a country liquor shop from Colootala. This particular site was approved by the Police, by the Excise Commissioner and finally by the Licensing Board but a petition of objection against this site alleged to have been signed by the shop-keepers of Territy Bazar and Chinese residents of the locality was lodged at the eleventh hour and a deputation headed by influential men waited on the Government with the result that the site was rejected, inspite of the fact that the Licensing Board, with the largest majority of non-official members, have twice decided in favour of the site. The cat, however, was soon out of the bag and it transpired from personal enquiry made by the members of the Board that the man behind the move was a rival vendor and that names of some of the signatories of the petition were forged. Sir, things are not what they seem and let not the public be bluffed by so-called steps taken to enforce temperance or reduce consumption. In French Chandernagore, only 3 square miles in area, with less than 30,000 population, there are 26 shops for sale of special brand of country liquor, but the people of Chandernagore do not patronise these shops, but most of the patrons of these shops are outsiders. I know to what extent the evils of drink and drugs are playing havoc on the health and happiness of the industrial workers in the coal-fields, jute mill areas and railway centres and my views on this question of drink and drug facilities given to the workers are on record of the proceedings of the Council meetings for the past five or six years.

I would like to give the Government a constructive suggestion for keeping a healthy check and real popular control on consumption of intoxicants in Calcutta and its suburbs. Let us first make an experiment with drugs. The sale of opium in Calcutta and suburbs and towns of Howrah and Bally is about 11·5 thousand seers through 43 shops within this area. The sale of ganja through 48 ganja shops is about 11 thousand seers and the sale of bhang is about 8 thousand seers through 22 shops. The total receipt from sale of these three drugs in Calcutta and suburbs are just a little over 26 lakhs of rupees and the total nett profits after paying establishment and other charges earned by the 110 licensed vendors exceed two lakhs of rupees calculated at rupees nine as nett profit per seer on ganja, rupees six on opium and rupees four on bhang. My proposal is to entrust the sale of opium and ganja and bhang and other hemp drugs with a public Board of Trustees who will invest capital and control the sale in the interest of the public consistent with the policy laid down by the League of Nations Opium Committee at Geneva. One of the special objects of this proposed Trust would be to see that opium is used for scientific and medical purposes and to prevent the abuse of opium

practised all over the country *e.g.*, (1) opium given to children, (2) opium used as a palliative against a specific disease, (3) opium used as a pleasure-giving drug. There is nothing new in the scheme. Glasgow has adopted it to check sale of drinks and the Scotch Trust is called the Public House Trust with some of the best Temperance men as Trustees. Apart from the question of checking the sale of opium and hemp drugs to bring them within international obligation the nett profit of two lakhs that now goes to the pockets of vendors may be made available for deserving charities. The nearest approach to this kind of scheme is the Calcutta Turf Club. The C. T. C., though it encourages a vice, *viz.*, gambling, pays very large amounts to deserving charities and that is the redeeming feature of the Trust known as the Calcutta Turf Club with some of the finest sportsmen on its Board. If my scheme is adopted and if the Drug Trust succeed from the point of view of check on consumption and offences against the Excise Laws the next step would be to constitute a Liquor Trust. I hope the Government will see its way to appoint a Departmental Committee to investigate the prospects outlined by my speech and adopt or reject my proposal according to the decision of that Committee.

Dr. BIDHAN CHANDRA ROY: Mr. President, you have ruled that a member can go into the merits of the excise policy while we are on a particular question. But when the question of voting comes, it may be difficult for members to vote in favour of this motion, because it seeks the abolition of some staff, although they may be prepared to vote on the question of excise policy. I do not see how we are to get members to vote on one side or the other, as they may not be clear as to the issue before them.

Mr. PRESIDENT: Strictly speaking you are not correct—I have only allowed the member to speak on the general demand. When members are called upon to vote in regard to a particular motion, the issues are put clearly before them in the terms of the motion, which circumscribe the issues involved in it. But while a member is allowed to go beyond the motion to speak on the general demand itself, he naturally attempts to make an exposition of the policy, which is involved in the demand. In doing this he can, of course, have the latitude to cover a greater range. But that should not obscure the issues involved in a motion, which may then be under discussion.

Babu JITENDRALAL BANNERJEE: Sir, in delivering his carefully measured philippic against the excise policy of the present Government, Sir Abd-ur-Rahim seemed to be labouring under a tiny, little misapprehension. He seemed to have taken it for granted that the consumption of spirituous liquors and injurious drugs must necessarily be

regarded as a moral evil by itself. But he forgot that tastes differ and so also do the standards of life. He seemed specially to forget that, amongst the super-civilised people who have now the moral guardianship of India in their trust, drink is regarded not as a mark of degeneracy but as a mark of high civilisation. Owen Meredith says that civilised man cannot live without cooks. Sir, we know that Owen Meredith was an authority upon many things, including the frontier policy of the British Government and the comparative merits of different types of liquid refreshment. He may have gone further and said: "what is civilisation without drink?" I know that the example of America which has so unaccountably gone dry might be cited against me. But the case of America is not in point or rather is very much in point. We have been told that, physiognomically, the America is going back to the type of his Red Indian ancestor, and similarly, morally and spiritually, perhaps the American is going back, retrograding, to the type of the East Indian. Therefore, Sir, taking all things into consideration and seeing that force always prevails in the world, it must be admitted that drink is a mark of civilisation. The more you drink, the more civilised you are; the larger is your drink bill, the higher rises the barometer of your civilisation and culture. Therefore, if the English people may be regarded as having introduced the habit of drink in India - a very questionable fact—perhaps they have unconsciously conferred a blessing upon us. The English are well known for their altruistic proclivities; they govern us, altruistically, to our benefit, and they make us drink also, altruistically, to our benefit. They have civilised the Australian bushman out of existence, and they have civilised the Red Indians out of existence. Why should they not be more logical in pursuing their excise policy in India and try to civilise us too out of existence? Why should the work of mercy stop short of extinction in our case alone? Let us all be drowned in oceans of liquor, let us all be stupified with the fumes of ganja and opium, and, in the state of *nirvana* that would result, the lion will lie down with the lamb, the political agitator will be no more, and the permanence of the British Government will be assured.

3-15 P.M.

Mr. F. E. JAMES: Mr. President, I notice that on the discussion in regard to the excise policy we have almost reached the ideal of every Bengalee, namely, a purely indigenous Government. The Treasury benches had been represented, until Mr. Lindsay came in, by two Indian Ministers and one Indian member of the Indian Civil Service. Mr. Lindsay has now spoiled the picture. But, I trust, the absence of the other Members does not show, or indicate, their entire indifference to the feeling of many members of this House in regard to excise policy.

I regret to observe, Sir, that hitherto the speeches in regard to the excise policy have indicated either a general levity or a personal prejudice against a particular Minister. I have not heard from any of the members, who have so far spoken, in any part of the House, any constructive suggestion regarding the practical problems which face any temperance reformer in dealing with this excise problem. Government are in a perfectly secure position. They are accustomed to draw a certain amount of revenue from their Excise Department. One cannot expect any Government to be philanthropic or to be deeply imbued with temperance ideals, and, therefore, I do not wonder that year after year the Government survives the annual attack on the excise policy and that very little improvement is shown in the general condition regarding the consumption of liquor in this province.

Sir, I feel very strongly that the root of the matter lies with us and with those, who, in Bengal, are charged with the initiation of educational or social reform. I do not believe—and I challenge any one to disprove my statement—I do not believe that any single party in this House has as yet put forward a constructive excise policy which could be taken practically as a substitution for the present policy of the Government. If I find in any part of the House such a policy I shall be the very first, in my individual capacity, to endeavour to support that policy to the best of my ability, but so far there never has been from any side of the House any practical scheme put forward. And, I say, Sir, that you cannot expect the Government to act on its own initiative. There must be on the part of all who dislike, disapprove of, the present policy of Government in regard to excise, steady, relentless pressure in the Council, and outside by public opinion, and that pressure must be backed up by some definite constructive scheme. The question of excise is not a political one: it is an administrative one, and it is a social one. And I do not think it is impossible that members from every party in this House could be found to unite upon a policy which would bring about both social and administrative reform in the direction which we all desire. I throw forward that suggestion, and I again refer to the proposal I made two years ago to the Government that in the absence of any action on the part of the elected representatives on their own initiative would it not be worth while for the Government to anticipate the strength of feeling of public opinion and to call together representatives from various quarters of the House to discuss this whole question of excise administration and excise policy. It is difficult in the present state of debate to get any constructive proposal put forward any where, but a number of representatives from every party of this House round a table with the facts before them, and the Members of the Government present to give them information, would, I believe, very soon make its influence felt and produce something better than anything which has yet been produced, in the way of constructive proposals regarding the excise

administration of this province. I trust, Sir, that the Government will give consideration at least to this suggestion, and that possibly a way may be found to accept the proposal.

Dr. BIDHAN CHANDRA ROY: Sir, I have listened very carefully to the statement made by the Hon'ble Minister regarding the excise policy of the Government, and I have also made a cutting of the speech which appeared in the papers, in which I find one sentence in which he, as a popular Minister, seeks to put forward the policy of the Government, apart from what has been put forward by Mr. Dutt in a resolution which appeared in the issue of the *Calcutta Gazette* of the 2nd December, 1926. The Hon'ble Minister said:—

"If we were convinced that prohibition was the right policy I would assure the House that Government would definitely work towards it."

Mr. James has just now asked where is the constructive policy with regard to excise emanating from any party of the House. I might say at once that the only policy which we look forward to for the Government to lay down definitely is that it is committed to a policy of prohibition not to be achieved to-day, but certainly the first steps ought to be taken from this point of time. Sir, in the communiqué issued by Mr. Dutt.... ..

Mr. C. S. DUTT: On a point of order, Sir. May I explain that that communiqué was not issued by me. It was a resolution of Government, and my name only appeared as a matter of formality.

Rai HARENDRANATH CHAUDHURI: Do you disown your responsibility?

Mr. C. S. DUTT: It was on the responsibility of the Government: it was a Government resolution.

Dr. BIDHAN CHANDRA ROY: Very well, Sir. It is a Government resolution issued under the signature of Mr. Dutt.....

Mr. C. S. DUTT: Not under my signature, but *over* my signature. (Laughter.)

Dr. BIDHAN CHANDRA ROY: I find, Sir, that there is one item mentioned in the resolution which says that the number of licences granted have been growing less; I challenge this statement. I took some pains to find out the number of licences granted from the year 1917 on to the year 1925-26 as they appeared in the different issues

of the Administration Report of the Excise Department of Bengal. I find that the number of country-spirit licences granted in the year 1917 was 1,100: in the year 1925-26 it was 948. As regards imported liquors, the number of licences granted in the year 1917 was 569: in the year 1925-26 it was 1,623. As regards the ganja licences the number granted in the year 1917 was 1,367: in the year 1918 it was 1,265; in the year 1925-26 it was 1,215. As regards opium, the total number of licences granted in 1917-18 was 819; in the year 1918 it was 820; and in the year 1925-26 it was 861. Sir, I have quoted sufficient figures to show that the statement in the resolution quoted above is not quite correct. But I shall perhaps be told that although the number of opium licences which have been granted have been more in 1925-26 than those granted nearly ten years ago, yet the amount of consumption of intoxicating substances has been less. Is that so? I admit that so far as opium is concerned, the amount of consumption is less. But look at the amount of consumption of liquor. It is true that the amount of country liquors consumed in the year 1917-18 was 700,000 gallons; in the year 1925-26 it was 632,000 gallons. As regards foreign liquors particularly beer the amount consumed in 1917-18 was 505,000 gallons; in the year 1925-26 it was 831,000 gallons. Therefore, it is not true to say that we have got a lower consumption in the case of all departments under excise during the last ten years. But the significance of the point is this: If you have a larger number of shops do you not induce people to go in for drink and other intoxicating drugs? If that be not so, I do not see the necessity of having large advertisements in shops in big shops such as Whiteaway's, Hall & Anderson's. We know that, although demand is sometimes followed by supplies, if you put the supplies in front of the people, sometimes demand also follows supplies. There is a second statement made in the resolution and that is this: " . . . . . total prohibition involves an unjustifiable interference with the liberty of individuals. . . . . " I take the liberty in this connection to quote certain conclusions and resolutions arrived at by the people in different parts of the country.

The Indian National Congress, which met at Belgaum, in December, 1924, under the presidency of Mr. Gandhi, said: "The Congress is of opinion that the policy of the Government of India in using the drink and drug habits of the people as a source of revenue is detrimental to the moral welfare of the people of India, and would, therefore, welcome its abolition."

The National Social Conference, meeting at the same time and place as the Congress, with Sir C. Sankaran Nair as Chairman, passed a resolution urging both the Central and the Provincial Governments to declare their intention of adopting total prohibition

as early as possible. In January, 1925, the South India Social Conference resolved—

"That this Conference is of opinion that the present excise policy of the Government has been a failure, and that it ought to be radically changed, and a policy calculated to lead to total prohibition within a period of ten years be adopted and given effect to at once."

Not only the social and political conferences, but the members of the United Provinces Legislative Council in March last passed a resolution in these words:—

"This Council recommends to the Government to accept and to declare that total abstinence is the aim and object of its excise policy, and to consider favourably the proposals of the Excise Conference with a view to achieve that end."

Similar proposals have been made in the Council of the Central Provinces. In Madras also a strong group in the Legislative Council brought on a debate in which the excise policy of the Ministers was brought under discussion, and it will be remembered that only three days ago it was announced that the Minister in charge of Excise in the Madras Presidency declared that the goal of the Government with regard to excise was total prohibition. Lastly comes the resolution of Haji Wajihuddin in the Legislative Assembly in September, 1925, which the Assembly passed by a vote of 69 to 39, recommending to the Governor General in Council that "legislation be undertaken to prohibit the import, manufacture, and use, of all sorts of liquors in India, and that in the mean time he be pleased to direct the Local Administrations under his control, and convey the opinion of the Assembly to all other Provincial Governments that they should take steps forthwith to grant to local bodies within their jurisdiction the right to determine the number and location of shops within their respective areas."

Therefore, Sir, although there is the statement of Government that total prohibition will involve an unjustifiable interference with the liberty of the individual so far as the opinions of individuals, as expressed by different conferences and by different legislatures, are concerned, they are unanimous in asking Government to lay down prohibition as the goal of Government in every province. Sir, these demands for prohibition do not emanate merely from politicians or from social reformers, but religious conferences of the various communities—Christians, Muhammadans and Hindus have always regarded prohibition as the ultimate goal and have asked the Government to adopt it for its own use.

3-30 P.M.

The only question that seems to stand in the way is that we are told that there is a large revenue which is derived from the sale

of liquor, opium and other intoxicating drugs which the Government cannot lose. With regard to Bengal the amount of revenue derived from this source is about Rs. 2½ crores, but if the members of Government would consider for one single moment they will find that if Government derives a revenue of Rs. 2½ crores the actual consumers must be paying at least three times that sum in order to indulge in these intoxicating drugs. The province, therefore, is poorer at least by Rs. 7½ crores and a good proportion of this sum as it is very likely to be the case is spent by the poor cultivating class and the mill-workers. This shows that this revenue is derived by taxing the poorest amongst us. Therefore, even if the Excise Department is abolished in the next few years and even if Government puts forward the policy of total prohibition as its goal, and Government is able to convince the people of the province that after retrenching in all the different departments it has not been able to meet the expenditure of the province, even then I do not see much difficulty as in that case Government can meet the expenditure by enhancing taxes in certain respects. I will go further and say that if it is found that the excise revenue is essential to-day in order to meet the expenditure I am told in the *communique* of Government by the way, that the price of the different drugs having been increased in order to lower consumption, the income has increased correspondingly during the last 10 years if it is difficult to manage without this revenue to-day it will certainly be more difficult to manage without this revenue hereafter. This is a problem which will have to be faced either to-day or to-morrow Even if it is found necessary, in order to stop this revenue, that the people have to be taxed, it is much better that they be taxed for saving lives and properties rather than be taxed for being killed and their properties destroyed as happened and followed during and after the last World War. From all I have said, Sir, my answer to Mr. James is this. That it is not necessary to put down any constructive excise policy for Government except this, that the Government should commit itself to-day to a policy of total prohibition to come about not in a day as Mr. Ray Chaudhuri seems to think, but to come within a particular period of time and try to find out a source to meet the issue. When I say this I am not merely putting a theoretical proposition before Government. When the question of excise duty on cotton was discussed in the Assembly the members of Government did not say "Go and find out the money that we lose on this from some other source", and when the question of steel industry came up and bounties were to be given, they were not asked to find out the extra revenue that would be lost to Government. Therefore it is for Government to make good the loss whether by retrenchment or some other means. What I would ask—and what the country wants is that Government should declare that the policy

of total prohibition is the goal of Government. As this department is now under the control of the so-called popular Minister we expect that Government will not lose time to declare its policy of prohibition.

Babu AKHIL CHANDRA DATTA: Sir, this is a very old subject which has been discussed on thousands of platforms, inside the Council and in the Assembly for many years past. Now, we find that over 20 per cent. of the total revenue of this province is derived from Excise. It is said, Sir, that the English people are a nation of shopkeepers and "shop-keepers" is a very comprehensive term and I think, it is better to call them excise vendors carrying on this nefarious and immoral traffic for the purpose of getting revenue. It has been said that there is no constructive scheme placed by the critics of the Government. What is the practical scheme that is necessary on this point? A moment's thought will show that if Government are really serious about it, if they are keen about this problem, certainly a way can very easily be found out. I am not going into the details of any constructive scheme, but to a layman like myself it appears to me that the solution is very simple. Reduce your expenditure: that is the simple remedy. If you want princely salaries for all people—I mean the superior services if you incur expenditure in that way then certainly this revenue will be necessary. As I have already said, over 20 per cent. of the revenue is raised from this source—Excise. Now, let us consider for one moment one or two things. The Members of the Executive Council get a pay of Rs. 64,000. Why Rs. 64,000, Sir? May I ask if people of this class, this quality, this attainment and this calibre cannot be had for half the pay? The present arrangement is this: you sell wine to the people and raise a revenue from which you pay higher salaries to people than necessary for their subsistence and comfort with the result that there is surplus money with them and that itself will be an incitement to them to drink. That is a very funny and delightful arrangement, wine begets wine as money begets money. Now, Sir, it has been said that the policy of Government is the maximum of revenue with the minimum of consumption. The question is—which is primary and which is secondary? Is the maximum of income primary in this sense that the consumption is to be reduced to that extent only to which it can be reduced without affecting the maximum income? That is the policy: the real objective being the revenue and the consumption is to be reduced only so far as is consistent with that ideal of maximum of revenue. So, the result is that we have got ganja shops, opium shops and grog shops all over the country. When you ask for a school for the mill people, there is no fund: you ask for a tank for labouring population, there is no fund. You cannot give drinking water to your people, but you can certainly start and set up shops for liquor and ganja in front of the mill gates. So, it is not a question of any scheme or policy, it is not a question of a constructive scheme—

the whole question is—Are you going to cut down your expenditure? That is the initial question and that is the problem of all problems. Well, the recommendation of the Retrenchment Committee was to curtail the expenditure of this department, but we find that instead of giving effect to that recommendation the expenditure is increasing from year to year and unless there is a real and sincere desire to solve the problem, it is useless to talk about this matter.

Rai HARENDRANATH CHAUDHURI: Sir, as it is permissible to discuss the excise policy of the Government under this motion.....

Mr. PRESIDENT: What did you say Mr. Chaudhuri?

Rai HARENDRANATH CHAUDHURI: Sir, I said that it is permissible to discuss the excise policy of

Mr. PRESIDENT: Yes, it is up to me to allow a member to discuss the excise policy by way of speaking on the general demand which has been moved.

Rai HARENDRANATH CHAUDHURI: Sir, as it is permissible to discuss the excise policy of the Government under this motion and as it seems unlikely that I shall get any other opportunity hereafter, I propose to bring the Government excise policy under criticism. The latest exposition of the policy of the Government of Bengal is available to us in the shape of a resolution of the Government of Bengal bearing No. 5568 and dated the 27th November, 1926 a resolution which appeared over the signature of the present Secretary of the Department. The Secretary was anxious to make it clear that he was simply responsible for the signature appearing under the resoluton and I take it that the resolution does not convey his personal views only. Now, Sir, the resolution begins . .

Mr. C. S. DUTT: On a point of personal explanation. The hon'ble member seems to be under the impression that as the resolution appeared over my signature it does not convey my personal views only. That is not quite correct: it does not contain my personal views at all.

Rai HARENDRANATH CHAUDHURI: There is no point at all in his suggestion that the resolution simply appeared over his signature. What is really the point in his personal explanation? Certainly it must be supposed that the resolution contained the Government views; but does he suggest that the Government views are not in agreement with his personal views.

Mr. C. S. DUTT: On a point of personal explanation, Sir. The reason why I said that the resolution appeared over my signature was because Dr. Bidhan Chandra Roy was evidently in error in saying that the resolution appeared under my signature.

Mr. PRESIDENT: I thought you took exception to what Dr. Roy said because you wanted to get under and not go over the resolution. (Laughter.)

3-45 P.M.

Rai HARENDRANATH CHAUDHURI: The resolution begins with a statement of the Government policy as it was adumbrated in the *communiqué* of the 25th August, 1921. What was this policy? The policy was repeated in the following words: "To impose a high taxation on intoxicating articles with a view to making them as dear as possible for the individual consumer and thereby to keeping their consumption at a minimum." The first question, therefore, is whether that policy has been successful or not, whether that policy has gone to reduce the consumption of intoxicating liquors and drugs or not. The policy—mind you as it was enunciated in the August *communiqué* of 1921. That is the question. How the Government have attempted to prove that point in their favour in the resolution of course those who have read the resolution know. Government have endeavoured to prove their contention by quoting two sets of figures relating to widely distant dates, and, secondly, by scrupulously not mentioning the figures for 1921-22, because had the Government done so and had further quoted the subsequent figures it would have at once been proved that the whole credit for the sudden decrease in consumption belongs to the non-co-operation movement and not to the Government. What the Government policy is now leading to is the annulment of the good results that were secured by the non-co-operation movement.

Let me prove my point by referring to facts and figures. Take, for instance, opium. In the year 1920-21—that is just on the eve of the Government *communiqué* of August, 1921—the consumption figure was 42,634 seers and in the very next year, that is, in 1921-22, it was 40,558 seers. It will, therefore, be seen at once that a reduction of not less than 2,000 seers of opium consumption was secured by nothing else but the non-co-operation movement. It was only in August, 1921, that Government enunciated its excise policy. Now what is the position after 1921-22? The figures show that the consumption is again on the increase, at least the figures as to consumption are stationary inspite of all the efforts of Government—alleged efforts I mean—to the contrary. It will be seen that in the year 1922-23 the quantity of opium consumed was 40,240 seers, in 1923-24, 39,920 seers, in 1924-25, 40,120 seers and in 1925-26, 39,945 seers. Therefore it will be seen that

the Government policy has not made for any substantial reduction so far as opium consumption is concerned. Of course, taking the figures for 1921-22 and the subsequent figures into account.

Then let us take the figures for the consumption of wine and other intoxicating materials. It will be seen that in the year 1920-21 760,000 gallons of country wine were consumed in this country but in the next year, that is, 1921-22, only 599,000 gallons, that is, the Government could only secure a reduction of about 30,000 gallons from 796,784 to 766,572 gallons in 9 years from 1911-12 to 1920-21, while the non-co-operation movement secured in a single year a decrease of about 166,000 gallons. Since then liquor consumption is again on the increase whatever the Government may say to the contrary. Thus it will be seen that in the year 1925-26 no less than 632,351 gallons of country liquor were consumed. Just compare these figures with those for 1921-22. It will be seen that inspite of the Government policy the consumption of country liquor is steadily increasing.

Then let me refer to foreign liquor. The following are the figures: In 1922-23, 278,764 gallons of beer alone were consumed whereas the present beer figure, I mean the figure for 1925-26, is 431,842 gallons.

Then take the other intoxicating articles into consideration. It will be seen, Sir, that the consumption figure of ganja for the year 1921-22 was 1,638 maunds 7 seers, whereas for 1925-26 it is 1,786 maunds 33 seers. Not only have the so-called steps taken by Government proved ineffective but on the contrary it may be said that the Government is encouraging the consumption of ganja by reducing the tax from Rs. 60·3 per seer in 1924-25 to Rs. 58·7 per seer in 1925-26, by reducing the wholesale price from Rs. 260 to 220 after the 30th April, 1925, and, thirdly, by attending to the cultivation of ganja at Naogaon.

Then, Sir, I pass on to the *charas* figure. This is the most injurious of the hemp drugs. Government does not realise any large amount of revenue under this head and yet they will not forego the small amount that is realised under this head by prohibiting the use of it. This is an evidence of their co-operation with reasonable temperance movement as they say! In 1921-22, 27 maunds and 28 seers of *charas* were issued to local shops whereas in 1925-26 as much as 68 maunds and 31 seers of *charas* had been issued and the consumption in Calcutta alone amounted to 45 maunds 21 seers. Therefore it is apparent that inspite of the increase in the price of *charas* its consumption has not abated. In view of these figures I think he will be a bold man indeed who will say that the policy adumbrated in the August *communiqué* of 1921 has succeeded; on the contrary I maintain that it has failed and failed miserably.

Then, Sir, in the resolution under discussion Government claims that it has reduced the facilities for the supply of liquors and drugs. This is not a fact as has been shown by the figures quoted by Dr. Roy,

but the facilities for supply are not only not restricted but so far as the sale of opium is concerned more facilities for supply are being given! Let me simply quote the increase in the number of licensed shops during the last few years. In 1921-22 the number of opium shops for retail vend was 820, in 1922-23, 824, in 1923-24, 832, in 1924-25, 846 and in 1925-26, 861. Therefore it must be admitted that this Government is at least anxious to push on and is really pushing on the sale of opium.

But the most unfortunate part of the speech that was made by the Hon'ble Minister in introducing the Excise budget was the portion in which he took over the responsibility for the Government's excise policy. In the statement that was made by Sir Basil Blackett in January, 1925, in the Legislative Assembly, he said that the provincial Minister is expected to formulate his policy in respect of opium consumption in consultation with the Legislative Council, but far from taking the Legislative Council into confidence the Hon'ble Mr. Chakravarti took upon himself all the responsibility for the present policy of the Excise Department. He said that if he had been convinced that the prohibition policy was the right policy for the country then he would have enforced that policy irrespective of financial considerations. But, Sir, may I ask is he still a Congressman? Does he agree with the Congress views? What after all is the revenue realised from opium? The revenue that is realised from opium does not even now exceed Rs. 45 or 46 lakhs; it was something between Rs. 30 and 33 lakhs even a year or two ago. What was the extra amount of taxation that was imposed on Bengal since the Reforms?

(Here the member reached the time-limit and resumed his seat.)

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I should like to speak on the motion first. I shall be brief. The motion is for reduction of the demand to the extent of Rs. 1,14,000. This demand represents the cost of the administrative establishment of the Excise Department, *viz.*, the Excise Commissioner, two Deputy Commissioners, one Personal Assistant to the Excise Commissioner, twenty-eight clerks and twenty-seven petty officers. It also includes contract contingencies and other contingent charges.

Sir, the budget was not framed by me but it was framed long before I assumed office. The budget was there, the policy of Government with regard to intoxicating liquors and drugs was there and the question of a revenue of 2½ crores of rupees was also there—it was not my creation. I do not think my friends are of opinion that I have the power to stop the whole administration of the Excise Department by saying "Well, I do not want that money and Government policy is wrong". But, Sir, this is a very much wider question.

4 P.M.

At the present moment we are concerned with whether there ought to be an establishment. If the department be there there must be an establishment and that is what I am concerned with. I oppose this motion.

The motion that the demand of Rs. 1,14,000 under the head "6A.—Superintendence" be refused was put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Md.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Pramatha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Herendranath.
Choudhury, Maulvi Khershed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Heque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Syed Maqbul.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Tarakanath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abdur.
Rahman, Maulvi Shamsur.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Naliniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkas.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. D.
Da, Mr. K. C.
Dey, Mr. D. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. R.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. S. R.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.

Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Skinner, Mr. S. A.
Solaiman, Maulvi Muhammad.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 45 and the Noes 61, the motion was lost.

Mr. PRESIDENT: The time-limit is reached and I will take up the original motion.

The motion that a sum of Rs. 22,98,000 be granted for expenditure under the head "6.—Excise" was then put and a division called for.

Mr. P. C. BASU: May I ask if the popular Minister is entitled to ask for a division? In England it is never done. The Treasury benches never ask for a division.

Mr. PRESIDENT: I am not aware of it. I think it was Mr. Dutt who called for the division. I am not sure. I do not think the Hon'ble Minister rose in his place at all, although he could, in my opinion, rightly do so to call for a division. Any way a division was called and I had to allow it.

A division was then taken with the following result:—

AYES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jagunath.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mitter, Sir Prevash Chunder.
Moberly, the Hon'ble Mr. A. H.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Phelps, Mr. Trevor J.
Philip, Mr. J. Y.
Prentice, Mr. W. G. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray, Mr. S. N.

Sochan, Mr. F. A.
Sanyal, Babu Sachindra Narayan.
Sarkar, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Skinner, Mr. S. A.
Sulaiman, Maulvi Muhammad.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Premetha Nath.
Banerjea, Mr. A. C.
Banerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Rai Harendranath.
Choudhury, Moulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Tarakanath.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Rahim, Sir Abdur.
Rahman, Maulvi Shamsur.
Raut, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Naliniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Babu Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 60 and the Noes 42, the motion was carried.

[At 4-20 P.M. the Council was adjourned and it re-assembled at 4-30 P.M.]

The time-limit under the head "6.—Excise" having been reached the following motions were not put:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,14,000 under the head '6A.—Excise Superintendence' be reduced by Re. 1 (page 38, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA, Babu BEJOY KRISHNA BOSE, Maulvi ASIMUDDIN AHAMAD and Mr. P. C. BASU: "That the demand of Rs. 48,000 under the head '6B.—Excise Bureau' be refused (page 39, Civil Estimate)."

Khan Sahib Maulvi ABDUS SATTAR: "That the demand of Rs. 48,000 under the head '6B.—Excise Bureau' be reduced by Re. 1 (page 39, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,22,000 under the head '6C.—Presidency Establishment' be refused (page 40, Civil Estimate)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,22,000 under the head '6C.—Presidency Establishment' be reduced by Rs. 57,000 (page 40, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,13,000 under the head '6D.—District Executive Establishment' be refused (page 41, Civil Estimate)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,29,000 under the head '6E.—Distilleries' be refused (page 42, Civil Estimate)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,29,000 under the head '6E.—Distilleries' be reduced by Rs. 1,00,500 (page 43, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 10,69,000 under the head '6.—Excise—Cost of opium' be reduced by Re. 1 (page 37, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 22,98,000 under the head '6.—Excise' be reduced by Rs. 1,00,000 (page 37, Civil Estimate)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 22,98,000 under the head '6.—Excise' be reduced by Rs. 100 (page 37, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI, Maulvi TAMIZUDDIN KHAN, Babu ROMES CHANDRA BACCHI, Rai JADUNATH MAZUMDAR Bahadur and Khan Bahadur MAULVI EKRAMUL HUQ: "That the demand of Rs. 22,98,000 under the head '6.—Excise' be reduced by Re. 1 (page 37, Civil Estimate)."

9.—Registration.

MINISTER in charge of DEPARTMENT of EDUCATION (REGISTRATION) (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 21,09,000 be granted for expenditure under the head "9.—Registration".

The expenditure is divided into two heads, "Superintendence" and "District charges". The expenditure under "District charges" has increased considerably this year. This increase is due in particular to two causes:—

(1) payment of the arrears of rent for 3 years to the Government of India for the building occupied by the Calcutta Registration Office; this amount has been estimated at Rs. 94,000;

(2) the increase in the rate of remuneration to the extra copyists in the Registration offices.

This increase of pay has been urged for many years, and I am glad that it has fallen to my lot to be able to find money for the lowly paid copyists. Their present rate of pay is 10 annas 8 pies for 3,000 words in the sadar registration offices; the same rate for 3,600 words is in the mufassal registration offices. We now propose to give them Re. 1 for 3,000 words in all offices except in Calcutta. In Calcutta we propose to pay at the rate of Rs. 1-4 for 3,000 words. There is no doubt that this small revision will be much appreciated by copyists throughout Bengal.

The following motion was called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 80,000 under the head '9A.—Superintendence' be refused".

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 20,29,000 under the head "9B.—District charges" be refused (page 52, Civil Estimates).

4-45 P.M.

He addressed the Council in Bengali the English translation of which is as follows:—

"I move this motion on the ground that this department is a cause of additional taxation upon the poor rural people who have in the daily transactions of their life concerning transfer of land and borrowing of money, to pay a lot of money for stamps. By increasing stamp duty, Government have placed a heavy burden upon them. In preparing a legal document concerning a little property, a great portion of the value of it is spent in the process.

I am aware that the motion will be opposed by many of the members. But it remains true, nevertheless, that it is very difficult to have any document registered without giving bribes to the clerks of the registration office. Secondly, Government by increasing registration fees have made the people doubly losers. It will be said that this department is very necessary as it safeguards the properties of the people. If that is so, why have Government increased duty on stamps and registration fees? Is not this step calculated to be a strain upon the resources of the poor people?

The practice of registration of documents creates distrust amongst the members of a family and is the cause of many quarrels and differences. Instead of taking this improper measure for the preservation of records, Government should have tried to foster mutual trust and good will.

I know, Sir, that the village people are often unable on account of their poverty to execute deeds and have them registered. This circumstance often leads to legal proceedings being instituted by some of the parties and to the consequent ruin of all the parties concerned.

Amongst the agricultural classes in the villages transfer of land is an every-day practice. From this consideration at least Government ought to reduce registration fees.

I do not understand, Sir, what purpose is served by registering documents in this country because such documents when produced in Court are not accepted as proof by themselves. The writer of a particular document and witnesses for the verification of registration have also to be produced. What is the use in such circumstance of spending considerable sums of money on the registration of documents? In the case of poor *purdah* ladies, executing deeds for which compulsory registration is prescribed, the whole business is a source of endless trouble and a cause of much useless expenditure.

I am able, Sir, to suggest to Government a good means by which, if it is adopted, documents can be registered without much expense. There are at present union boards or committees in almost all the districts of Bengal. These boards or committees may be entrusted with the work of registering documents at a nominal fee. This measure will ensure to them a regular income which they have not got at present and also diminish the hardship which the people suffer under the existing arrangement. It will further put an end to corrupt practices because the president and the members are local men who personally know the party approaching for registration of a document and also because they themselves hold their posts by the suffrage of the local people. During the last two years a number of forged documents have been registered within my knowledge in the village adjoining mine, and the aggrieved parties have in some cases failed to obtain any redress from court. If my suggestion is acted upon there will be no occasion for such cases. It may also be urged in favour of my suggestion that the presidents of union boards being independent men of position are better qualified than sub-registrars to perform such duties, if these are entrusted to them. At the first instance Government might direct that petty deeds executed by peasants and raiyats be presented to them for registration.

For these reasons I beg to commend my motion for the acceptance of the House."

Maulvi ABUL KASEM: Sir, I very much regret that I find myself in a position not to be able to support my friend who has just moved this motion. I feel myself bound to rise and speak because of certain statements made by my friend, who started by saying that the object of his motion was to abolish the Registration Department. He says that this Registration Department is the cause of bringing about bad feelings between very near relatives, and it destroys all feelings of trust. To him I have to say that the Registration Department, or the practice of registering documents, or even of writing them, was introduced when trust ceased to exist, and not that with its introduction a feeling of distrust was created: when people found that without registering documents they could not establish their titles, the Registration Department had to be established. True it is that under the Act many petty documents have to be registered, but I think, if it is an evil, it is a necessary evil. Even with the registration practice in vogue there are forged documents, as my friend admits; and I say that without registration the number of such documents will increase considerably. Consequently, Sir, it is rather too late in the day to say—we do not want this. He has made a practical suggestion that the executive of the union boards should be entrusted with the function of registering documents and keeping copies of the documents which have been registered. In fact what he suggests is that the union boards, in addition to the work of sanitation, local self-government and other functions which they have undertaken, should be entrusted with the work of the Registration Department, and they will be unpaid servants. I am afraid there is very great danger in that. My friend, as a great nationalist, has very high hopes about the future of this country, which unfortunately I am unable to share. He says these people—these elected representatives of the locality—will be above all suspicion, and that the officers of the Registration Department being servants are liable to corruption. I wish the case had been as he thinks, but I am sorry I cannot agree with him. I do not mean to say that the representatives of the people, sitting either on the union boards, or on the local boards, or on the district boards, or on the municipal corporation, or on the legislature, are not honest, straightforward and just, but we have to proceed very cautiously before we entrust these people with powers. Union boards, so far as I know, are not yet very popular and they have to justify themselves. The reason is not far to seek. It is not the fault of the boards alone: the fault lies with the administration also; but at any rate the union boards are not yet very popular, and Government have to create union boards and union benches with caution, and I think caution in this matter is fully justified. I would certainly oppose any attempt to entrust these men with the safe custody of deeds or with the power of registering sacred documents. That is a thing for which the servants of the State ought to be held responsible. We know that representatives of the people like myself and

my friend over there are all very good men and true, honest and straightforward, but I am afraid we may have a very high opinion of ourselves, but the public outside do not share our opinion, and therefore, I think that we shall be rather doing a hazardous thing if we accept the motion of my friend and change the whole arrangement about the registration of documents. I do not deny that there is some corruption in the registration offices, but I believe that next to the Education Department, it is the only department which can be said to be the least corrupt of all other departments of Government many of which, if judged by that standard, will be found to be more corrupt, and therefore it will be necessary to abolish them before you abolish the Registration Department. No doubt registration is the root of litigation, so also the judicial courts are, and therefore before you abolish the Registration Department, you must abolish the judicial courts. I think my friend was not very serious when he moved his motion, and I think he should withdraw his motion, but I trust that certain broad points about the administration which he has brought to light will receive consideration at the hands of Government.

Khan Sahib Maulvi ABDUS SATTAR: Sir, it is very difficult to understand my friend Maulvi Asimuddin Ahamad when he moves his motion No. 286. He probably means that the whole Department of Registration should be abolished. He has, of course, his reasons for this suggestion: but it seems to me that he has reached a stage in this world at which one can give up all sorts of worldly attractions and can rely on people simply on their words of mouth. Sir, I ask has he been going on in that way in his own village? Has he ever had any dealings with the people of his village, has he ever lent out money or borrowed money, on mere words of mouth? And have those promises been fulfilled? Probably, my friend has been thinking of Utopia, or of what else I do not know. What sort of swaraj has he been thinking of when he will have no necessity for any kind of document whatsoever? Of course, we all agree that in that case all the registration offices could be abolished altogether. I suggest to him that he should fully work out his scheme of such a swaraj. My friend says that the registration work can be entrusted to union boards. Then more union boards will have to be established, and as they will have to incur additional expenses on this account they will require funds to be provided for them. I do not think that honorary work only can meet the case: perhaps, my friend thinks that it may.

Sir, there is another thing which deserves our notice. He has been complaining the other day that Muhammadans are not getting their share of appointments in the Government services. Here is a department in which some Muhammadans earn their bread—some of the poorest Muhammadan clerks earn bread for their family by working

in this department; and yet he comes forward with a proposal for practically abolishing it.

Sir, it is a proposition which no one can support, and, therefore, I oppose it.

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: Sir, I confess I scarcely heard what my friend the mover said in moving his motion. I am grateful to the previous speakers for having given me the benefit of understanding what actually fell from the mover, and they have practically met all his points. From what I could gather however, it seems that the effect of this motion would be to shut down the Department of Registration altogether. But, Sir, the public have already recognised the need for registration, the main object of which is to guard against the fabrication of documents, titles, etc., and to provide a conclusive guarantee as to the genuineness of all documents. The utility of the Registration Department is, therefore, apparent. I do not think that I need say anything further on this motion. In my opinion it should be resisted, and I, therefore, oppose it.

The motion that the demand of Rs. 20,29,000 under the head "9B.—District Charges" be refused was then put and lost.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 20,29,000 under the head '9B.—District charges' be reduced by Rs. 10,29,000 (page 52, Civil Estimate)."

Maulvi SHAMSUR RAHMAN: "That the demand of Rs. 20,29,000 under the head '9B. District charges' be reduced by Re. 1 (page 52, Civil Estimate)."

Rai JADUNATH MAZUMDAR Bahadur: "That the demand of Rs. 21,09,000 under the head '9.—Registration' be reduced by Re. 1 (page 51, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: Sir, may I move the motion standing in the name of Maulvi Shamsur Rahman in his absence?

Mr. PRESIDENT: I have already declared it as not moved, and I am afraid you cannot move it.

Dr. PRAMATHANATH BANERJEA: May I then speak on the general demand?

Mr. PRESIDENT: Yes, Dr. Banerjea, you have my permission to do so.

Dr. PRAMATHANATH BANERJEA: Sir, in connection with the demand for grant under "Registration", I wish to discuss only one point, namely, the raising of registration fees. Nearly two years ago, the registration fees were considerably raised by Government by a single stroke of their pen. Now, was this right? The Indian Registration Act, it is true, gives the Government of Bengal the power to fix the fees for the registration of documents, but this Act was passed at a time when responsible government had not been thought of in this province. (A VOICE: It has not been established yet.) Now that a partial and very ineffective and unsatisfactory system of responsible government has been established (Question, Question!) well, I will not say "responsible" (Cries of "irresponsible") very well, a partial, and unsatisfactory system of irresponsible government has been established in the province, and that this department is under the control of a Minister—popular Minister (A VOICE: Alleged)—popular or alleged to be popular, whatever it may be, now that this department is under the control of a Minister, is it right that registration fees should be increased without consulting the legislature?

Then, there is another point which arises in this connection. About Rs. 12 lakhs was added to the annual revenue of Government by the enhancement of registration fees. How has this sum been spent during the last two years?

5 P.M.

So far as I know all this money has been frittered away on various schemes instead of the whole sum having been devoted to a particular purpose, say the promotion of primary education or the improvement of sanitation. As nothing of this sort has been done, I raise my voice against the demand.

Mr. JOGESH CHANDRA GUPTA: In supporting this motion.....

Mr. PRESIDENT: You cannot support or oppose any motion: you are now speaking on the general demand.

Mr. JOGESH CHANDRA GUPTA: In opposing the general demand and in supporting Dr. Banerjea I need refer to the increase of the registration fees only. The registration fee has been increased and it is said that Government has got power under the Act to fix the rates. Well, when Government has got power to fix the rates generally and if any increase is made against the interests of the people it is the incumbent duty of the Government to consult the people whom such increase will affect. Government has done nothing of the kind. I want to remove the impression of the House that the power given under

the Act does authorise the Government to increase the fees whenever and in whatever shape they like. If they were decreasing the fees in exercise of that power nothing can be said against them, but when they increase the fees they have to consider that the poor people, the agriculturists, are affected thereby. Government, who consider themselves to be the self-appointed trustees of the agriculturists, owe an explanation as to why they thought of increasing the registration fees without at all consulting the people or the legislature in this matter. It is an unconstitutional procedure and it is a procedure which at once shows that Government is irresponsible and cannot claim the consideration of the people in this matter. I think the time is up and I would not say anything more.

Maulvi ABUL KASEM: Sir, there were two motions asking for a token cut of Re. 1. Rai Jadunath Mazumdar Bahadur did not move motion No. 288 which stands in his name and Maulvi Shamsur Rahman left the House for some urgent business asking me to move on his behalf motion No. 289 which stands in his name. Sir, I want your permission to move it formally.

Mr. PRESIDENT: You could not catch my eye at the right moment. I have already said that the motion was not moved. Will you kindly resume your seat?

The motion that a sum of Rs. 21,09,000 be granted for expenditure under the head "9 Registration" was then put and agreed to.

Maulvi ABUL KASEM: I ask for a division, Sir.

Mr. PRESIDENT: You are again late, Mr. Kasem. You cannot now call for a division as I have already given my verdict.

31.—Education (Transferred).

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): On the recommendation of His Excellency the Governor I move that a sum of Rs. 1,13,85,000 be granted for expenditure under the head "31.—Education (Transferred)". At the outset let me explain that these budget estimates were prepared by Government a considerable time before I took office, so, as Minister, I am in no way responsible for the proposals. Accordingly my remarks will be confined to calling attention to the principal points of interest in the estimates now placed before you.

In accordance with the agreement reached last year we continued the recurring grant which was given to stabilise the finances of the Post-Graduate Department of Calcutta University. The decrease in the

total grant to this University is due to the capital grant of Rs. 1,95,000 given last year to complete the Asutosh Building.

The Imperial balances which were put to the credit of Dacca University at the start of the Reforms are exhausted but recurring expenses are provided for by the statutory grant of Rs. 5½ lakhs, while one lakh has been inserted to start two capital works, the Muslim Hall and the completion of the sewerage scheme for the University.

In the Financial Statements are to be found the main items for new expenditure on Arts colleges of which I may mention only the two most important, (1) provision for the re-organisation of the teaching staff of the Presidency College, and (2) new and increased grants-in aid to non-Government colleges. As the Council knows the numbers of students at the Presidency College have been raised and the fees increased and we are taking the opportunity of introducing long-desired improvements in the teaching in that college. Non-Government colleges also need our consideration and help and with the money provided the Director of Public Instruction will be able to give relief in many directions.

With regard to secondary schools, there are two points which specially call for attention. One is the provision of Rs. 1,50,000 for increased grants-in-aid for the pay of teachers in non-Government secondary schools. The Council will remember how two years ago a grant of Rs. 3 lakhs was made for this purpose. By the judicious use of this grant Government were able to secure from the managing committees of the schools extra receipts for the pay of teachers amounting to over Rs. 2 lakhs so that the provision of Rs. 3 lakhs by Government enabled the pay of these teachers in secondary schools, who are admitted to be lowly paid, to be raised by Rs. 5 lakhs. By the grant of this extra lakh and a half it is expected that the teachers will again benefit to a much greater extent than the mere lakh and a half now provided.

Half a lakh has again been provided for the introduction of a provident fund scheme for secondary school teachers. The rules in connection with this fund have presented considerable difficulties but are now nearly complete.

In primary education we continue the policy of the last three years of allotting some more money for the Biss scheme and of making greater provision for the pay of primary school teachers, for which an additional sum of Rs. 2,70,000 has been provided. Such a provision, although it will give relief to these most lowly paid persons in the teaching profession, is of course only an infinitesimal amount compared with what ought to be provided if funds were available. The numbers of children and teachers in this branch of education are so enormous that no real advance can be made until greater funds on a very much bigger scale can be provided.

Under the head "31 E" a start is being made with a comprehensive scheme of physical education in secondary schools. The report of the Public Health Committee of the University and the general interest shown in this subject in the public press and otherwise fully justify—if justification were needed—a large move forward in this important matter. It is useless to educate boys who enter on their life's work more or less physically unfit for hard work. By the scheme now introduced it is hoped to impart organised and thorough physical education in all Government schools, and to help non-Government schools in this direction also.

Under head "31 B" a start is being made with the scheme for introducing an agricultural bias into selected middle and high schools. A total of Rs. 12,500 is included under this head for the purpose, and provision is also made in connection with the scheme in the budget of the Agriculture Department.

Sir, I now summarise what I have said. The problem of education in Bengal is a very serious one. There is the question of University education, there is the question of secondary education and there is the question of primary education and further there is the question of vocational training. Apart from all this there is the claim that is made for the members of two great communities for education in Arabic and Sanskrit. Apart from that we have to consider the question of female education both for the members of the Hindu and Muhammadan communities. Now the problem is an enormous one and funds are very very limited, and I think a serious attempt ought to be made as far as funds allow to carry out these schemes.

Babu MANMATHA NATH ROY: Sir, I beg to move that the demand of Rs. 4,84,984 under the head "31A.—Education (Transferred)—University—Grants to Calcutta University" be reduced by Re. 1.

Sir, at the very outset I wish to draw the attention of this House to the changes brought about in the University during the last few months. For many years in the past the University has successfully resisted all attempts on the part of the Government to dominate the University, but since the appointment of the present Vice-Chancellor, the University has become a limb of the bureaucracy. The appointment of the present Vice-Chancellor was designedly made with a view to secure this end. The Vice-Chancellors in the past who had held eminent positions either in public life or in the service of the Government had always maintained the independence of the University. But the present Vice-Chancellor, who has been brought into Bengal from outside, with prejudices against the University and who had not scrupled to call the members and teachers of the University as "Byzantine eunuchs, sycophants, plagiarists and sluggards", has

entered into a conspiracy with the givers of his office, the Secretary of the Government, and the Director of Public Instruction, to officialise the administration of the University. Is it conceiveable, Sir, that at the present day the University should consist of members, 80 per cent. of whom are nominated by Government and only 10 per cent. elected? The reconstitution of the University on elective principles is long overdue. But the present Vice-Chancellor has enabled the Secretary and the Director of Public Instruction to adopt a retrograde policy and to stabilize the position of Government in the University. This trio hold a conspiracy in the dark corners of the Secretariat and on two recent occasions within the last four months when the members of the University, 80 per cent. of whom are nominated, were about to elect their representatives on the executive body and also to constitute the different faculties the Director of Public Instruction took the unusual step of summoning to his office the officials and many of the nominated members so that the votes might be cast in a particular way. This dumb-driven cattle with the exception of one or two members who had the courage of their convictions carried out the behests of the Government and with what result? Three non-officials, one of them being an *ex*-Vice-Chancellor who had been a member of the Syndicate for the last 25 years, were replaced by two officials and another non-official who, though not trusted by the people, has always claimed a monoply of Government patronage. The Director of Public Instruction now rules supreme in the Syndicate with both of his assistants and the principals of all the three Government colleges in Calcutta and the Government now boasts of a majority in the Syndicate—an end which was never realised within recent memory. The fiat has gone forth that any disobedience of the Government party will incur the displeasure of the Government and will involve the loss of re-appointment in the Senate. Mr. G. C. Bose and Dr. Brühl—the former the principal of one of the biggest non-Government colleges in Calcutta and who was a member of the Senate for about twenty years and the latter a University professor and an *ex*-Registrar of the University—have incurred this displeasure and they do not now enjoy seats in the Senate. Even the re-appointment of Sir P. C. Roy was held back and it was only after the Syndicate had entered a strong protest that the Government ultimately re-appointed him as a member of the Senate. Wisdom and experience are not now regarded as assets of any value in appointments to the Senate and the claims of the senior teachers are often ignored so that room may be found for juniors in Government service who may be requisitioned as whips of the Government party. Non-Government colleges under Indian administration are wholly ignored and there are only two members in the Senate out of a total which exceeds 100, representing these colleges. The recent nominations have been largely urban and the Government colleges have reaped a rich

harvest. I do not blame the present Hon'ble Minister for all these acts but we shall watch his activities in these matters to which I have drawn his attention. The reconstitution of the Senate is the one matter to which the Hon'ble Minister and this House should immediately turn their attention. The Sadler University Commission, which was brought into existence for the benefit of the Calcutta University and which involved the expenditure of Rs. 17 lakhs of public revenue, finished its labours eight years ago. Most of the Indian Universities—Dacca, Allahabad, Madras, and all the new Indian Universities of Lucknow, Delhi, Nagpur and Rangoon have accepted and adopted the recommendations of that Commission and have reconstituted the Senate on democratic lines as indicated by that Commission but the Government of this province has been guilty of culpable negligence. The teachers as such do not enjoy any franchise yet in the Senate and the microscopic minority of ten elected members in the Senate is a shame to this province and to this Government. Government has also adopted a retrograde policy in appointing the Secretary to the Government and the Principal of the Presidency College as *ex-officio* fellows in place of two of the Hon'ble Ministers. The appointment of the Secretary may be justified but there is absolutely no reason why the Principal of the Presidency College should enjoy this pre-eminence over the Principals of other colleges. Vice-Chancellors of Indian Universities are now elected or are chosen from a panel and it was only in Calcutta that it was possible to appoint a Vice-Chancellor notwithstanding a strong protest by the Syndicate and the outgoing Vice-Chancellor.

There is a section in the community who may, for the present, suspend their judgment upon the present Hon'ble Minister. The Hon'ble Mr. Chakravarti has taken upon himself the task and the responsibility of his new office. Let us watch and see if he justifies his own choice.

5-15 P.M.

Sir PROVASH CHUNDER MITTER: Sir, my friend Babu Manmatha Nath Roy's speech, if shorn of its digressions, reduces itself mainly to three points (1) appointment of Fellows, (2) appointment of the Vice-Chancellor, and (3) why the Calcutta University Commission's recommendations have not been given effect to in Bengal.

As regards the appointment of Fellows, my friend Mr. Hoy knows very well that under the present Act that is the gift of the Chancellor. Neither the Government nor the Minister has anything to do with it.

Babu MANMATHA NATH ROY: On a point of order, Sir. Is not the Vice-Chancellor consulted?

Sir PROVASH CHUNDER MITTER: I repeat it is the gift of the Chancellor. It is, however, open to the Chancellor to take advice either from the Vice-Chancellor or the Director of Public Instruction or Babu Manmatha Nath Roy anybody he chooses, but my point is.....

Babu MANMATHA NATH ROY: Is it not the tradition that the Chancellor always takes advice from the Vice-Chancellor?

Sir PROVASH CHUNDER MITTER: I say from my own experience since my friend is so curious on this point that the Chancellor always consults the Vice-Chancellor but he consults others also and I know many instances where the Vice-Chancellor's recommendations have been overruled.

But my point, Sir, is that it is open to my friends opposite to co-operate with the Minister to frame an Act which will be a suitable Act according to their views. It is rather inconsistent that they will refuse that co-operation with the Minister and criticise the Minister not for his own acts but for the acts of the past Government. And what was that past Government a reserved Government brought amongst others by my friend Mr. M. N. Roy.

Srijut BIJAY KUMAR CHATTERJEE: Nobody has ever refused any co-operation as Sir Provash Chunder Mitter says.

Mr. PRESIDENT: You can go on, Sir Provash

Sir PROVASH CHUNDER MITTER: If my friends opposite want a good University Act it is up to them. It is up to them even to-day to offer their suggestions and to co-operate with the Minister. (Interruptions.) Am I not to be allowed to go on without any interruption?

Mr. PRESIDENT: Order, order! I cannot allow such interruptions. The member is entitled to a patient hearing.

Sir PROVASH CHUNDER MITTER: Sir, it is a question too important to this province to be made a toy of party politics. I hope and trust that my friends opposite will do their utmost to make the University worthy of the province.

Now, Sir, as regards the appointment of the Vice-Chancellor I hold no brief either from Government or from the Vice-Chancellor. But assuming that the present Vice-Chancellor is not what my friends would like him to be is that any reason to criticise the Hon'ble Minister.

Rai HARENDRANATH CHAUDHURI: On a point or order, Sir. The mover has not criticised the Hon'ble Minister. That is in Sir Provash Chunder Mitter's imagination.

Babu MANMATHA NATH ROY: I made it clear that I did not take the Hon'ble Minister to task but I brought to the notice of the Hon'ble Minister certain facts so that he may take proper action in the future.

Sir PROVASH CHUNDER MITTER: I could not hear what Rai Harendranath Chaudhuri and Babu Manmatha Nath Roy said. As I did not hear them I should like to go on in my own way.

About the Calcutta University Commission there again is the question as to how the reforms can be given effect to in the future. It is no good comparing Bengal with the other provinces. It is no good comparing Bengal with its deficit of two crores and odd with other provinces with a surplus of a crore or more. What is more, during the last three years we had a constitution where the representatives of the people had no voice. However, my object is to get things done. Whatever the past conduct of the man and parties might have been let us all learn by experience, profit by experience. Let us try to do our best with the limited resources we have and if all sections of this House, irrespective of community, irrespective of political parties, will only agree with me in holding that this is a very important subject and is a subject in which the contributions of what is best in this House is imperatively necessary I am sure we shall be able to do something which will leave a lasting mark on the educational landmark in Bengal.

Adjournment.

The Council was then adjourned till 2-30 P.M. on Wednesday, the 23rd March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 23rd March, 1927, at 2-30 P.M.

Present:

The Deputy President (Khan Bahadur Maulvi EMADUDDIN AHMED) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 104 nominated and elected members.

Starred Question

(to which oral answer was given).

Devolution of powers upon the appointment of District Inspectors of Schools.

*55. **Khan Bahadur Maulvi AZIZUL HAQUE:** Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether any devolution of powers has been made consequent upon the appointment of District Inspectors of Schools to the Bengal Educational Services?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): The matter has been under the consideration of Government for some time. No formal devolution of power has been yet made, but owing to the increase of work in the department, District Inspectors are being utilised for certain work such as the inspection of high schools which formerly did not fall upon them.

Unstarred Questions

(answers to which were laid on the table).

Alleged exodus of students from the Dacca University.

131. **Nawab KHWAJA HABIBULLAH:** (*a*) Is the Hon'ble Minister in charge of the Department of Education aware that since the Board for Secondary and Intermediate Education was constituted in Dacca quite a large number of students have gone away from the Dacca schools and colleges?

(*b*) If so, will the Government make a statement on the subject?

(*e*) Will the Government further state if the Government intend taking any steps to stop the exodus of students?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: (*a*) The figures of attendance during the last five years at Dacca schools and colleges do not support the suggestion that a large number of students have gone away from Dacca schools and colleges.

(*b*) and (*c*) do not arise.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to inform the House what are the actual figures, when they were taken and by whom?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I must ask for fresh notice.

Education of girls.

132. Kazi EMDADUL HOQUE: (*a*) Will the Hon'ble Minister in charge of the Department of Education be pleased to state whether Government intend taking steps for the spread of education amongst girls?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of establishing free model schools (both primary and middle English) in selected village centres entirely staffed by female teachers?

(*c*) Will the Hon'ble Minister be also pleased to state whether the Government have taken any steps to recognise the services of organisers and financiers of free girls' schools?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: (*a*) Yes, within the limits of funds available.

(*b*) Government will consider the suggestion, though the difficulties especially as regards staffing are considerable.

(*c*) Yes, *e.g.*, the Nari Shiksha Samity receives a grant for the schools under its control.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to inform the House what is the amount available for the spread of education among girls and if in the opinion of the Hon'ble Minister it is considered sufficient.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I cannot tell you off-hand.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister b pleased to state whether the Government is making suitable arrangemen for the education of Muslim girls?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I sincerely hope s but I cannot make a promise.

Kazi EMDADUL HOQUE: Will the Hon'ble Minister be pleased t state as to how much is received by the Nari Shiksha Samity and for wha schools?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: I must ask fo fresh notice of the question.

Arul "Bil" project.

133. Maulvi SYED ABDUR RAUF: (*a*) Will the Hon'ble Membe in charge of the Department of Irrigation be pleased to state—

(*i*) what progress has been made in the "Arul *Bil* Drainag Project" in the district of Jessore; and

(*ii*) what portion of the work still remains to be done?

(*b*) If any work remains to be done, what action, if any, has bee taken to complete it, and when is it likely to be completed?

(*c*) What is the total estimated cost of the work?

(*d*) What is the value of the work done each year during the las five years?

MEMBER in charge of DEPARTMENT of IRRIGATION (th Hon'ble Nawab Bahadur Saiyd Nawab Ali Chaudhuri, Khan Bahadur of Dhanbari): (*a*) (*i*) The work is practically completed and the sluic has been in operation for several years.

(*ii*) A small channel connecting two interior *bils*.

(*b*) The work will be completed before the coming monsoon.

(*c*) Rs. 1,95,062.

(*d*) Up to March 1922 Rs. 1,66,925; 1922-23 Rs. 35,532; 1923-2 and 1924-25 Rs. (–)8,217 (credit); and 1925-26 Rs. 144.

Paper-Book Department, auditing of accounts of.

134. Babu MANMATHA NATH ROY: Will the Hon'ble Membe in charge of the Judicial Department be pleased to lay on the table statement showing the results (deficit or surplus) of the auditing of th High Court account in the Paper-Book Department, Appellate Side

each year from 1921 to 1926, showing the receipts and expenditure in each of the said years.

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): The revised scheme for the Paper-Book Department only came into operation from July, 1922.

The accounts were examined by an auditor at the beginning of 1923 and showed an excess of expenditure over receipts of some Rs. 34,000. The working of the department is however complicated, and the system of accounts maintained was such that it was necessary to work on a series of averages and estimates which left a very wide margin of possible error.

A new system of accounts was introduced, since when the accounts for 1923-24 and 1925-26 have been audited. These show

	1923-24.	1925-26.
	Rs.	Rs.
Expenditure on establishment	43,428	49,038
Contingencies	(No separate account)	1,885
Receipts for work actually done during the year	41,835	46,198
Excess of expenditure over receipts	1,593	4,725

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member in charge be pleased to state when, how, and under what circumstances the demand for the Paper-Book Department became non-votable although it was votable before?

Mr. H. C. LIDDELL: In April, 1923, a question was raised by the Hon'ble the Chief Justice as to whether the salaries of the clerks and other ministerial officers of the High Court should not be held to come within the provision of section 72D (3) (iii) on the ground that under clause 8 of Letters Patent the Chief Justice had authority to appoint as many and such clerks and other ministerial officers as shall be found necessary for the administration of justice, and that these clerks were under the Letters Patent to receive such reasonable salaries as the Chief Justice shall appoint and the Governor-General in Council shall approve. The matter was referred to His Excellency the Governor whose decision on a point of that nature is under the law final and, as Sir Abd-ur-Rahim pointed out in his speech in this Council in March, 1925, legal opinion was taken and there was a very considerable discussion. Eventually His Excellency decided on the 8th November, 1924, that these salaries were expenditure within the meaning of section 72D (3) (iii) of the Government of India Act. When the budget for 1925-26 was framed all salaries which fell within the terms of the Letters Patent

were dealt with as non-voted and among these there fell the salaries of clerks and other ministerial officers who had been appointed by the Hon'ble the Chief Justice and who were employed in the Paper-Book Department. The general question had been raised and had been decided on a general basis and the results which ensued or which were likely to ensue from the decision were not considered until long after the decision was made. The particular case of Paper-Book Department was not mentioned during the discussion and its withdrawal from the vote of the Council was an incidental result of the main decision.

Babu JITENDRALAL BANNERJEA: This is interesting legal discussion. Did it originate with the Chief Justice or in the Secretariat?

Mr. H. C. LIDDELL: I have nothing to add to my answer. The question was raised by the Hon'ble the Chief Justice.

Patni taluks in Noakhali district.

135. Maulvi MOHAMED SADEQUE: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing

(*i*) the amount of revenue and cess paid to Government by each of the zamindars in the district of Noakhali;

(*ii*) the area of land under each of the zamindars;

(*iii*) the amount of rent and cess each of the zamindars realises from the tenure-holders and tenants under them;

(*iv*) the number of patni taluks under each of the zamindars;

(*v*) how many patni taluks or portions thereof were sold for arrears under the provision of Regulation VIII of 1819 each year during the last ten years; and

(*vi*) what was the amount of arrears in each such case?

(*b*) Will the Hon'ble Member be pleased to state the prevailing rate at which patni taluks are sold in the said district?

(*c*) What is the amount of net annual income (total rents realised from under-tenants *minus* the Government revenue and cess) of each of the taluks mentioned in (*a*) (*v*)?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (*a*) (*i*) to (*iv*) There are 1,707 revenue paying estates in Noakhali. The information asked for is contained in the record-of-rights which extends to about 680,000 pages, and it is impossible to summarise the information in a form which can be laid on the table of the House.

(*a*) (*v*) and (*vi*) A statement is placed below.

(*b*) There is no prevailing rate.

(*c*) The information is spread over the record-of-rights, and cannot be condensed without an amount of labour and expense which Government do not consider would be justified. The Final Settlement Report of the district gives an analysis of the most important statistics available from the record-of-rights.

Statement referred to in the reply to clauses (a) (v) and (vi) of unstarred question No. 135, showing patni taluks sold under Regulation VIII of 1819 and arrears in each case during the last ten years.

Number of year.	Number of patni taluks sold	Amount in each case (in rupees only).
1916-17 .. .	57	Rs 5, 9, 9, 2, 3, 4, 9, 15, 4, 5, 2, 2, 6, 2, 3, 4, 1, 2, 2, 3, 5, 2, 2, 2, 1, 3, 1047, 18, 43, 6, 3-2, 4, 6, 96, 5, 36, 61, 10, 12, 4, 4, 6, 30, 3, 8, 98, 3, 4, 4, 42, 18, 44, 9, 8, 8, 1, 5.
1917-18 ..	86	Rs 17, 3, 2, 4, 2, 11, 8, 6, 11, 74, 45, 43, 5, 23, 7, 4, 11, 4, 38, 19, 7, 15, 307, 28, 6, 34, 15, 81, 26, 8, 5, 5, 16, 41, 32, 7, 9, 16, 4, 12, 6, 6, 21, 8, 43, 17, 12, 3, 2, 6, 10, 86, 12, 4, 8, 16, 25, 7, 6, 5, 6, 3, 45, 2, 18, 10, 22, 15, 16, 12, 5, 3, 15, 113, 38, 18, 27, 3, 5, 2, 7, 3, 4, 4, 4, 5, 13.
1918-19	89	Rs 30, 14, 20, 19, 17, 10, 7, 10, 3, 12, 22, 31, 8, 35, 43, 56, 21, 26, 23, 12, 11, 14, 42, 55, 20, 224, 80, 293, 79, 67, 3, 6, 6, 21, 49, 10, 4, 13, 5, 5, 5, 4, 46, 19, 11, 25, 23, 30, 60, 6, 67, 54, 3, 6, 232, 3, 9, 9, 11, 8, 4, 5, 5, 3, 7, 6, 31, 25, 7, 7, 21, 5, 4, 4, 66, 23, 29, 12, 42, 19, 11, 38, 12, 2, 6, 16, 1, 3, 6.
1919-20	68	Rs 24, 19, 9, 42, 8, 5, 5, 5, 7, 12, 23, 17, 6, 95, 15, 9, 9, 8, 5, 12, 3, 13, 6, 7, 13, 36, 26, 7, 7, 126, 147, 17, 31, 67, 21, 32, 22, 3, 22, 3, 22, 72, 29, 5, 17, 2, 7, 21, 5, 4, 12, 16, 15, 49, 26, 22, 4, 6, 23, 5, 16, 21, 75, 6, 18, 11, 3, 40, 20, 15.
1920-21	34	Rs 12, 128, 12, 30, 10, 11, 42, 11, 72, 252, 11, 3, 22, 3, 17, 50, 7, 49, 2, 12, 57, 31, 8, 6, 3, 8, 21, 18, 6, 9, 23, 27, 21, 6.
1921-22	30	Rs 5, 5, 14, 123, 16, 19, 10, 49, 4, 32, 42, 15, 9, 50, 4, 11, 5, 9, 4, 3, 35, 11, 8, 3, 11, 24, 42, 8, 117, 15.
1922-23	72	Rs 34, 24, 8, 35, 715, 12, 8, 8, 15, 9, 7, 7, 11, 6, 5, 5, 7, 5, 5, 5, 6, 6, 5, 5, 6, 6, 6, 8, 10, 7, 7, 9, 5, 22, 27, 8, 19, 46, 25, 195, 8, 134, 49, 7, 6, 24, 63, 179, 66, 8, 6, 3, 5, 43, 89, 22, 8, 26, 7, 97, 19, 16, 6, 6, 124, 3, 9, 3, 9, 24, 4, 33.
1923-24	25	Rs 19, 17, 5, 7, 751, 5, 3, 6, 49, 4, 20, 6, 14, 10, 87, 3, 3, 25, 82, 435, 11, 5, 139, 8, 3.
1924-25	41	Rs. 17, 24, 27, 111, 15, 23, 30, 27, 16, 32, 18, 29, 40, 37, 21, 83, 22, 194, 9, 4, 102, 5, 20, 9, 7, 104, 27, 81, 20, 4, 24, 126, 11, 24, 4, 6, 6, 13, 26, 26, 101.
1925-26	53	Rs. 11, 4, 13, 5, 3, 50, 18, 17, 3, 4, 24, 63, 87, 19, 52, 13, 22, 12, 8, 3, 9, 6, 14, 5, 3, 22, 30, 7, 14, 40, 128, 24, 433, 173, 38, 6, 66, 39, 14, 9, 8, 16, 46, 7, 5, 4, 4, 7, 8, 5, 12, 10, 7.

Maulvi MOHAMED SADEQUE: Will the Hon'ble Member in charge be pleased to state if the taluks are sold in the district of Noakhali by private sale?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I have no information on the matter.

Alleged tension of feeling between landlords and tenants of Bhuluaya Zamindari.

136. Maulvi MOHAMED SADEQUE: Will the Hon'ble Member in charge of the Police Department be pleased to state whether he is aware of the tension of feeling that prevailed between the Bhuluaya zamindars and the Muslim tenants and tenure-holders under them over the question of cow-killing within the zamindari?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. MOBERLY): I am not aware of any such tension.

Local Board election from Gournadi Thana.

137. Babu NAGENDRA NATH SEN: With reference to the reply given to clause (*a*) of unstarred question No. 48 on the 23rd February, 1927, will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state who was responsible for the irregularity with reference to the election of members to the Local Board from the Gournadi Thana?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): The irregularity which the Additional District Magistrate found proved was that one of the successful candidates had been proposed by a non-voter; for this the candidate and his supporters must be held responsible.

GOVERNMENT BUSINESS.

Demands for grants.

31.—Education (Transferred).

Mr. DEPUTY PRESIDENT (Khan Bahadur Maulvi Emaduddin Ahmed): We shall now resume the discussion on motion No. 291.

2-45 P.M.

Rai HARENDRANATH CHAUDHURI: I just began yesterday by saying that after wasting three precious years—1921-1923—in Ministerial wild goose chase, Sir Provash Chandra Mitter has now come forward with a suggestion as to what we should or should not do in shaping legislation for the University. He did not stop to enquire what fell from my friend, Mr. Manmatha Nath Roy; he did not care to listen all that was said by him, he found that there was a one-rupee cut proposed and it was being moved by a Congress member and he at once jumped to the conclusion that it must be a motion of censure on the Ministry. And so, Sir Provash, the Minister of yesterday and the Minister-maker of to-day, has hastened to say that the Minister is not at all to blame. He at once stood upon his legs and went into a defence of the Minister. But my friend, Mr. Roy, was particular in saying that he did not hold the present Minister responsible for all that was happening in connection with the Calcutta University. Yet, that did not save him from the criticism, ill-informed as it was, of my friend, Sir Provash. Sir Provash has given us an advice *gratis*. But, Sir, the public of Bengal have yet to know what was Sir Provash Mitter's achievement as the Minister for Education during the years 1921-23. How was it, Sir, that after pocketing Rs. 64,000 per annum he did not seriously consider it worth his while to bring forward a Bill to amend the Calcutta University Act; how was it that he could not mature a legislation to widen and enlarge the constitution of the Calcutta University? Was he so much engaged in plotting in high company to bring about the ruin of the Calcutta University, to rob it of its freedom, to starve it to submission that he had absolutely no time to undertake legislation for the Calcutta University? I do not forget, Sir, that a Bill was on his anvil, but what was it? It was certainly not a Bill on the lines suggested by the Sadler Commission, it was a Bill to extend the powers of the Local Government over the University finances. It was a Bill which in short wanted to officialise the Calcutta University. That, Sir, was his only achievement in connection with the administration of the Calcutta University while he was Minister. But probably I am doing him some injustice—I am probably forgetting that he did some thing more—he at least inspired two Bills which raised indignant protest throughout the length and breadth of the country.

Sir, who was it that presided over the protest meeting of the Calcutta citizens? It was no less a person than the present Minister in charge of Education. How did he characterise these two Bills? He characterised them as Bills simply "to officialise the Calcutta University"—"Bills highly prejudicial to the Educational interests of Bengal"—I am sure I am quoting his exact language. And what was the resolution that was passed at that very meeting over which he presided. Well, Sir, the resolution ran as follows:—

"Whereas in the opinion of the public meeting of the citizens of Calcutta the two University Bills proposed to be placed before the Legislative Council by Messrs. Jatindra Nath Basu and Surendra Nath Mallik are calculated—

(a) to destroy the autonomy of the Calcutta University and convert it into a subordinate department of the Ministry of Education;

(b) to alter the fundamental character of the University having for its sole object the advancement of learning;

(c) to deprive the University of the proud position as the custodian of the sacred cultural life of the Bengali people; and

(d) to cripple the usefulness of the University and kill its high promise to occupy not only the position of the premier University in India but to take its place and rank amongst the advanced modern universities of the world..

This meeting therefore enters its most emphatic protest against these two Bills and urges the Government and the Legislative Council to throw these out entirely."

These two Bills were at least inspired by Sir Provash Chunder Mitter.

Mr. DEPUTY-PRESIDENT: I notice that some members are going through newspapers in this Chamber. I would like to point out that it is not permissible for members to read newspapers while the debate is going on.

Rai HARENDRANATH CHAUDHURI: As I have said, Sir, that was the net achievement of Sir Provash Chunder's ministry. I am afraid he was too much engaged at the time in plotting how to starve the Calcutta University to submission. He at least gained one of his objects, namely, he succeeded in getting Sir Ashutosh out of the office of the Vice-Chancellor. Sir Ashutosh no doubt went out of office, but he was not out of the Calcutta University, for verily the University was Sir Ashutosh and Sir Ashutosh was the University. (Hear, hear.) No third rate persons, however high placed, could have brought that thing about.

Now I pass on to the motion under discussion. I support the motion just to draw the attention of the Hon'ble Minister in charge of Education to the present sinister activity of the Government officials in University affairs. I am prepared to assure him that the Bengali public have actually grown sick of these activities on the part of I.C.S. and I.E.S. officials. I think no more time should be lost to bring forward a Bill on the lines suggested by the Sadler Commission for amending the Calcutta University Act. The first duty of the Hon'ble Minister in charge of Education should be to drag out the University Commission report of the Secretariat scrap-heap and to legislate on the lines recommended by the Sadler Commission. I hope the Hon'ble Minister will please make that the very first object of his Ministry. He will at least try to secure for the University a Bill which will widen the constitution of the Calcutta University, will enlarge its powers and will secure to it that very thing for which Sir Ashutosh pleaded, namely, freedom and freedom from official control.

DIRECTOR of PUBLIC INSTRUCTION (Mr. E. F. Oaten): Sir, my name or rather my post has been brought into this discussion, and speaking purely for myself I am glad to have this opportunity of making a short statement. Mr. Manmatha Nath Roy considers that the recent elections to the Syndicate illustrate an officialising tendency and he seems to regard me to some extent as the villain of the piece. The fact is, and it is an undisputed fact which can be checked by a reference to newspapers which were issued after the election, that the Syndicate to-day is a body more representative of the Senate than it has been for some years. (A VOICE: In the opinion of the Government.) In the opinion of the *Amrita Bazar Patrika*, and of the *Bengalee* (VOICES: Yes, yes! the *Bengalee*), and in the opinion of some other newspapers. The recent elections to which Mr. Manmatha Nath Roy referred and in which he unfortunately suffered defeat, returned a body of men to the University anxious to work for the raising of the standard of education and for the reform of the University, and I am first to admit that some of these men who were returned were officials—possibly it was their misfortune. But the Syndicate has always contained many officials; and it is only right that the Syndicate should contain a fair sprinkling of officials. I may mention that in the year 1914 there were 9 officials in the Syndicate; in 1918 there were 8 officials, and to-day in spite of this alleged officialising tendency there are only 6 officials. Mr. Manmatha Nath Roy accuses me of having secured for myself a dominant position in the University by obtaining membership of the Syndicate for two of my Assistant Directors and two Principals of colleges who are subordinate to myself. Well, Sir, that statement requires close examination. After I became Director, I was struck with the anomaly that

in Bengal college and school education was controlled by a body of 17 men in which there was not a single Muhammadan.

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. What year is he referring to when there was no Muhammadan?

Mr. E. F. OATEN: I was appointed in 1924. In 1925 I looked round and selected a suitable Muhammadan after consulting Muslim opinion. I found that Muslim opinion supported Khan Bahadur Ashanullah, Assistant Director of Muhammadan Education, as the most suitable person. He happened to be an official; he happened also to be the most suitable person. I nominated him; he was rejected the first time. He was selected the second time, and he still remains a member. He represents the Muslim community in the Syndicate and represents it very well. Taking the second Assistant Director on the Syndicate, namely, Mr. Macdonald, is it suggested that I had anything to do or that Government had anything to do with his election? Mr. Macdonald represents the Faculty of Engineering and was selected by that Faculty. That Faculty contains men like Sir Gordon Hearn and Sir Rajendra Nath Mukherjee. Is it suggested that these gentlemen are under the influence of myself or of Government, which is quite untenable and insulting to those gentlemen? Then two other officials were elected at the recent election—the Principal of the Presidency College and the Principal of the Sanskrit College. In days gone by it was the normal and ordinary thing for the Principal of the Presidency College to be on the Syndicate, the Principal of the most important college in the University of Calcutta, and that day has come again. The Principal of the Sanskrit College, it seems to me, is a very suitable person to be one of the 6 official members on the Syndicate. He is an educationist. It is very unfortunate that he replaces a practising lawyer but I think that on an educational body an educationist is to be preferred to a practising lawyer. If anybody suggests that Dr. Aditya Nath Mukherjee is under the influence of myself or of Government, I will throw back the challenge in his teeth, because there is no more indepedent man in the province than Dr. Mukherjee as I know from official fights which I had with him.

3 P.M.

In University matters there is no such thing as an official vote. We, officials, vote according to our own indepedent academic judgment and have as much right to unite among ourselves with non-officials to carry out our views as Mr. Manmatha Nath Roy and his friends have. It is an insult to suggest that we are engaged in a nefarious conspiracy to place the University under Government. I resent this suggestion and I am sure my official friends also resent it. They will also resent the suggestion that they vote at my bidding. In academic

matters they are my colleagues and not subordinates and on their behalf I repudiate the suggestion that the official members of the Senate are dumb driven cattle. Mr. Manmatha Nath Roy is possibly an authority on cattle or buffaloes as I have often heard in the Syndicate in connection with a certain college; but I would remind him that the ballot in Syndicate elections is secret and any official may vote just as he pleases and Government never knows how he votes. (A VOICE: As we do in this House.) After all, even officials have rights as well as non-officials. They have recently asserted their rights in obtaining adequate representation in the Senate. Mr. Manmatha Nath Roy's attitude rather reminds me of the notice in a zoological garden: "This animal is a very wicked animal and defends itself when attacked". That is what the officials have to some extent done. They represented a definite element in the Senate, but have had inadequate representation in recent years. They have now six representatives out of seventeen, which is a very reasonable number. What was done in the recent election to the Syndicate had the support of a very large section of the people in Bengal and also of sound educational opinion. After the election an Indian newspaper observed that it was gratifying that the Senate of the University of Calcutta was becoming more and more responsive to public opinion. The *Amrita Bazar Patrika* also endorsed the opinion that the University election in many respects constituted a desired reform. But on the main point of Mr. Manmatha Nath Roy's argument and speaking as a private member in this House and not on behalf of Government I do desire to endorse the view that the constitution of the University needs root and branch reform. Chapter XXXVII of the Sadler Commission Report lays down a proposal for the re-organisation of the University which Mr. Manmatha Nath Roy and his friends would do well to study. That chapter proposes a Court representing the great interests—industrial, commercial, professional, academic and communal—which the University has to serve. I personally hope that root and branch reform with a broader basis for the University will come soon but pending that we have got to work the present machine. I deny that the University has in any degree been officialised in the interest of Government. Certain re-adjustments have been made which resulted in certain professional educationists in the University who by an accident are officials obtaining their legitimate influence, but I maintain that they have obtained no more than their legitimate influence and in obtaining this influence they bring the University more into line with public opinion than it was when they were excluded. And the dominating standpoint of that public opinion is this: that our children must be given the best possible education, and on this principle, Sir, my official and non-official colleagues stand. We are working for reform and are fighting for the good of education in Bengal. We are

anxious for reform—root and branch reform—and that hour is possibly nearer than we hoped. Until that hour comes we must utilise the old machine for what it is worth and so far as we are able, reform from within. We are working with our eyes on distant ideals and not on sordid considerations of place and power, or officialisation or personal achievement. I do hope that the mover will find it possible to withdraw his motion for I assure him that there has been no nefarious plot among the official educationists or on the part of Government to officialise the University. I look forward to the day when a wider constitution representing every shade of opinion in Bengal will make it possible for all of us to take our share and that in it may be found room for Mr. Manmatha Nath Roy's undevoted devotion to the cause of education.

Babu AKHIL CHANDRA DATTA: Will the Director of Public Instruction say if it is not a fact that he convened a conference on two occasions at Writers' Buildings to influence voting the Senate?

(Cries of "Answer, please".)

Mr. E. F. OATEN: There is a question on the subject and must leave Government to answer that question in their own way.

Dr. BIDHAN CHANDRA ROY: You have answered by your silence.

Mr. W. C. WORDSWORTH: Strange things may happen even to the most unadventurous of persons, and to-day I find myself in the amazing position of being prepared to support Babu Manmatha Nath Roy if he presses this resolution. I do not agree entirely with Mr. Roy; rather do I almost entirely disagree with him; but he has said one necessary thing and in saying that he has done a public service. I have no sympathy with his attack upon the Vice-Chancellor of the University of Calcutta. When a distinguished Bengali gentleman whose fame is known far beyond the limits of India, is prepared to use the leisure of his retirement in serving our University I think he is entitled to our gratitude and our support, and it is a public calamity that certain gentlemen are carried away by feelings, which I know are strong and which I doubt not are sincere, so far as to rake over the past and try to discover causes of offence. I do not agree with Mr. Roy in his estimate of and attack upon officials in general. Having been an official for many years I can scarcely be expected to accept his view of either their wickedness or their unreliability. Mr. Roy may answer that I am not able to take an independent view. That of course is a fair argument, but one which in the few minutes at my disposal I cannot attend to. But I will say this, that as an

official of Government I have never in my life been called upon to vote or to say anything in the University under orders except when I was, as the Director of Public Instruction, the official mouthpiece of Government. I will even say that I have never in my life tried or been asked to influence any man's opinion or vote in the University except in free and proper argument on the floor. (A VOICE: Those days are gone.) Where I do agree with Mr. Roy—and this is why I am prepared to support him is in his view that it is gravely undesirable that there should be any attempt privately to mass official opinion in the Senate. In saying this I am uttering no word of censure on the Minister, who has only just succeeded to his duties and as yet probably does not know all that he has inherited. I wish only to join my humble voice to Mr. Roy's quiet warning that all is not well. Tactics are for some people a fascinating study, and it may have suggested itself to some one that because there is an official *bloc* in this Council there should be an official *bloc* at College Square. But there is no parallelism. In the Council Government is the executive, Government is responsible for policy, and the *bloc* is part of our constitution. But at College Square Government is not the executive, Government is not responsible for policy. Government has given entire control of policy to an independent body, and an official bloc is entirely out of place unless Government cares to put it into the constitution by bringing in an amending Bill here and letting the matter be settled in this House. What I object to is the private massing of opinion the attempt to make of all Government servants in the Senate one voice. It has always been the assumption, it has always been the practice, that Government officials serving the University serve it freely only for purposes of education. If 20 or 30 Government officials who are members of the Senate are to speak only with one voice, if they are to vote under orders, and if their opinions are shaped by command, then I say all should go except one and let others come in who by exchange of views and arguments, by agreement or divergence of opinion, can work for the good of education. When I was sounded privately as to whether I was prepared to join this private association I was told that the object was to check certain individuals. (Hear, hear.) I was told that it was intended to thwart men like Mr.—never mind whom there was not one but two or three Mr.'s: my point is that it was men and not principles or policy that was the great irritating cause. I know what disgust all this has caused to many, I hope, to most of the Government officials who are in the Senate. It puts them in a ludicrous position: it takes away from their prestige in the University, and before long, if this continues, they will be driven in self-respect to ask for release from their connection with the University. To-day I join myself with Mr. Manmatha Nath Roy in the hope of effectively warning

the Minister that there is grave danger ahead unless this can be checked. We value our good relations with the University. These are due primarily to His Excellency Lord Lytton, who, as Governor and as Chancellor, exerted himself strenuously a few years ago in the cause of peace. But it would be very unfair of me if, with my intimate knowledge, I refrained from saying that Sir Provash Chunder Mitter, though in his official capacity a protagonist, devoted himself anxiously, with generous and industrious anxiety, to restore the good relations that had for the time being been interrupted. I would ask the Minister to reflect that if he does not take care he may be dragged by imprudence in his own department into war with the University, from which this Council would not be able, and probably would not wish, to keep aloof.

3-15 P.M.

Dr. BIDHAN CHANDRA ROY: Sir, at the outset I had no desire to take part in this debate but the speeches made by Sir Provash Chunder Mitter yesterday and by Mr. Oaten to-day force me to say a few words in this connection. The warmth with which he defended himself I am speaking of Mr. Oaten reminded me of the animal with which he compared Mr. Manmatha Nath Roy; because it was he who was attacked by Mr. Roy first. Mr. Oaten has made two statements of facts which I am prepared to challenge. The first one is that there are now 6 official members in the Syndicate. This is not correct as Professor Mahalanabis and Col. Bernardo are also in the service of the Government and are members of the Syndicate. Therefore there are 8 members and not 6. I am prepared to say also that he is incorrect in his statement that there were no Muhammadan members before 1924. Dr. Hassan Suhrawardy was elected in the year 1922-23 as well as in 1923-24. No one could deny that Dr. Suhrawardy is a Muhammadan. But what I want to ask him is this: if it was his desire that Muhammadan interests should be represented in the Syndicate why did he not nominate a non-official Muhammadan? Was there no non-official Muhammadan on the Senate? Mr. Fazlul Huq is a Muhammadan member of the Senate and so is Sir Abd-ur-Rahim who had ceased to be a Member of Government. Either of them could easily have been nominated, but instead of doing that why did he nominate an official Muhammadan to represent their views on the Syndicate? He has not denied when a challenge was thrown out to him that there was a meeting of nominated members of the Senate at the Secretariat on the two days as mentioned by Mr. Akhil Chandra Datta. I will give him another challenge. Does he deny that at that meeting a list of names was drawn up both for election to the Syndicate and to the different Faculties of the Senate and a list of the names who should be voted for, was placed in the hands of members who were present at the meeting

by a Government servant and is it not a fact also that they were required to vote in accordance with the mandate of the Secretariat? Sir, Mr. Oaten has said that the move taken by them was because they wanted to maintain a high stamlard of education. Is this the way in which Government wants to maintain the standard in the University? Does he want us to believe that Dr. Nilratan Sarkar, a previous Vice-Chancellor of the University, who had served the University for the last 20 or 25 years, is not a person fit to maintain the standard of education in Bengal and that Mr. Charu Chandra Biswas, a man who is not even a teacher, is a better man to maintain the standard of education in Bengal? What was the result of the decision arrived at the Secretariat meeting? A mandate went forth that they should not vote for Dr. Ganesh Prosad and Mr. S. C. Mahalanabis for the Faculty of Arts. What has been the result? Dr. Ganesh Prasad, the Hardinge Professor of Mathematics, has been, during the past years, the President of the Board of Studies in Mathematics, a department under the Faculty of Arts. Now he has been driven out of the Faculty by the fiat of the Director of Public Instruction and the Secretary of the Government in the Department of Education. Is it, I ask, in the interest of education in the province that Dr. Ganesh Prasad should cease to be the President of the Board of Studies in Mathematics? Professor Mahalanabis is a Professor of Biology and Physiology in the Presidency College. His services in the departments of Anthropology and experimental Psychology, which are under the Faculty of Arts, have been invaluable and yet he has been driven out of the Faculty of Arts. Is it because the presence of these men in the Faculty of Arts would not maintain the standard of education or is it because they voted in a particular way on particular occasions which displeased the Director? On the other hand, we find that the Secretariat ordered that Mr. Charu Chandra Biswas should be put in the Faculties of Arts and Law, because, forsooth, he was a teacher in neither of the Faculties. Is that also maintaining a standard of education?

No, Sir, the reason is plain. Mr. Wordsworth has let the cat out of the bag. It is not to maintain the standard of education that this thing was done, but this was done to control the University from the Secretariat, to do what was attempted unsuccessfully by Sir Provash Chunder Mitter in the year 1922-23 during his ministry. Mr. Oaten has said that there is no such thing as official vote, but surely when 80 or 90 per cent. of the members are nominated by Government practically every vote is an official vote. But I ask the House to consider whether it is possible for a man whose pay and prospects depend upon the wishes and good will of the Secretary in charge of the department or of the Director of Public Instruction not to succumb to the temptation when he is called upon by the Secretary to vote in a particular

way. I was not going to refer to these matters, but since Mr. Oaten has chosen to refer to them I thought fit to defend the University with which I have identified myself for many years. Sir, the constitution of the Universities under the Act gives to the Chancellor and the Vice-Chancellor the entire management and superintendence over the affairs and concerns of the University. There can be no reason why the Director of Public Instruction and the Secretary in charge of the department should consider that there is a necessity of having an official *bloc* in the Senate.

Sir Provash Chunder Mitter had referred to co-operation in this Council. Sir, I find that there are three groups of members on the opposite benches whom we might characterise as Latitudinarians, Attitudinarians and Platitudinarians. Sir, the members of the Government *bloc* belong to the first group. They enjoy immense latitude and power which autocracy gives them. This is indicated by the fact that they play fast and loose with the liberties of the people of the country. And what about the finances of this country? They manage them in a way that their own interests are safeguarded. If co-operation means "all for each, and each for all", if this means working together of individuals for mutual aid and help, then, I say, is any co-operation possible between the *bhoktsa* and *cojya* between the slaves and his master?

The next group is that of the Attitudinarians. They are very amiable people: they sit there watching the movements of the Government benches, they bend their will at every nod of their masters; their attitude is one of purposeful subjection, they appear in different roles according to the needs of the hour or the bidding of their overlords, their fulsome flattery and unabashed sycophancy are a disgrace to the community to which they belong. They are the veritable Jaychands and Omichands of modern political life. What use is there to attempt co-operation with them? You never know what they mean to do or how they will change at the next hour.

Then I come to the next group the Platitudinarians. They always indulge in platitudes and are always prepared to utter platitudes in seasons and out of seasons—they say what they do not mean, they mean what they never say: they are anxious to give advice at every opportunity and to every party but only to themselves they repeat the formula "Do as I tell you, but don't do as I do". What is the good of trying to co-operate with these people? They suffer from the sins of "Inferiority Complex", they can never rise to an occasion and take the consequences of any one following their advice.

I shall end up my little speech by making one statement. If, Sir Provash Chunder Mitter, although not a Minister, but a power behind the throne, be prepared to bring in a Bill which will give to

the University full autonomy, financial and academic, leaving to the teachers the final decision in all academic questions, as is indicated by the University Commission's report, if he and his collaborators are prepared to give us a constitution on which different interests are represented and not a mongrel constitution such as he and his friends had proposed, then the members on this side of the House will be prepared to give all their co-operation and support.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I have to speak a few words on the remarks made by Sir Provash Chunder Mitter yesterday. Sir, Sir Provash Chunder Mitter, who seems to be more anxious for the Ministers than the Ministers themselves, has told us in the House—why not co-operate with the Ministers? Why not come with a Bill to reform the Calcutta University on the lines of the Sadler Commission? It is unfortunate that Sir Provash who was himself a full-fledged Minister for three years with no trouble from any quarters, has such a poor idea of the Ministers' duties in the matter. The whole scheme of responsible Government in the transferred side is that the Minister as the leader and representative of the majority in the House is in the executive, with the advantages of having the services of the permanent civil services, to initiate measures of popular benefit. It is no use shirking responsibilities and throw them to the door of your opponents. But I feel that some of us in this House are willing to take up the challenge and bring in a Bill on the lines of the recommendations of the Sadler Commission. But will Sir Provash guarantee his good behaviour and accept the recommendations of the Commission in matters concerning the representation of the Mussalmans in the Courts and Councils of the University and in the constitution of the proposed Muslim Advisory Board? Possibly I will get an answer from echo, but not from Sir Provash. Sir, when I found my hon'ble friend, Mr. M. N. Roy tabling his motion for a token cut of Re. 1 from the demand for grants to the University of Calcutta, I had thought that he would bring in his eloquent censure on the Government of Bengal, for providing not more money for the premier University in India. To my utter surprise, I found him censuring the present Vice-Chancellor for his being an official henchman, reprimanding the Senators of the University for registering the wishes of the all-powerful Mr. Oaten and characterising the University as gradually tending to become an official body. These are very serious charges and it is really unfortunate that we are asked to pass our judgments on a body which owes its existence to a statutory enactment, constituted mostly of some of the ablest countrymen of ours and without having any opportunity to defend themselves at the bar of this House: I am much against officialising the University as my hon'ble friend the mover, but I am afraid this matter should be discussed not by a token cut but by a resolution by members of the House

who are acquainted with the full facts and circumstances of the case. I can say that in a token cut like this it would be an insult to a body of eminent men of letters and science, to that eminent historian who deserves well of the country for his great services in creating better understanding between the two great cultures of India by his studies and researches in the history of mediæval India—to say that they are working under orders or inspirations. I would immediately despair of the future of our country if I am to think so easily that they are so lost to everything that they are mere pawns in the political chess-board of Government. A conference in the room of Mr. Oaten or some such thing; some criticism of University administration and my friend has scented the wildest conspiracy behind the veil. I would be willing to change my opinion if I find sufficient facts that there has been a conspiracy behind but the mover has not told us of any overt act in pursuance of this conspiracy beyond some vague and general statements which are often unsuspected methods of avoiding facts. I think Dr. B. C. Ray has put the things much better. Personally I am not prepared to censure the University after hearing arguments on the one side and I would be prepared to do so if both sides of the question are thrashed out.

(At 3-30 P.M. the Hon'ble the President took the Chair.)

Sir, I am proud of the Calcutta University, the crowning monument of Sir Ashutosh, that master architect of the University, and in the interest of the University itself, I deplore the speech of my hon'ble friend. Speeches like these do not carry us very far, but only result in embittering the spirit of harmony between the Government and the University. The Sadler Commission unanimously recommended that in view of the fact that a large portion of university finances has for long to be provided by Government there should be a spirit of harmony between the University and the Government. Speeches like that of my friend will only embitter that spirit and I repeat again, in the interest of the University, I very much deplore the speech.

Sir, in saying all these I do not say that I am at one wtih all what the Government or the constitutional advisors of His Excellency do in matters concerning the University. The Mussalman community has its long tale of grievances against the present system of nomination and even against the University policy of Government. But that is no reason why I should easily ascribe any motive to one party or the other. I would like to say more on the subject but this is a matter on which free discussion is full of danger. It is good that Mr. Wordsworth has sounded a note of warning. After the remarks of my friend Dr. B. C. Roy and Mr. Wordsworth I think it would be better that the resolution should be withdrawn. I do not think it is a matter which should be shut up from discussion but it should not be so lightly discussed on a token cut motion,

Babu AKHIL CHANDRA DATTA: The matter that is being discussed at the present moment is as to whether there is any tendency on the part of the Government to officialise the University. That being the issue before the House I am going to prove by some documentary evidence in the most unmistakable manner the deliberate attempt of the Government for officialising the University. I shall place before the House that well-known historical letter addressed by the Government to Sir Ashutosh Mukherjea. That letter reads like this—

"As you know, the appointment has to be made not by the Chancellor but by the Local Government, that is to say, by the Governor and the Minister jointly, and we both wish to know to what extent we can count on your co-operation. I am anxious to retain your services in this post because I feel that your powers and your attainments are of great value to the University and to the cause of higher education in Bengal. But if those powers and attainments are used in opposition to the Government in the belief that you are thus serving the interests of the University, your continued occupation of the post would be impossible.

The continuance of the course you have followed during the last few months would entirely preclude my favouring your re-appointment. Hitherto you have given me no help; you have on the contrary used every expedient to oppose us. Your criticisms have been destructive rather than constructive; you have misunderstood our objects and motives, and instead of coming to me as your friend and Chancellor with helpful suggestions for the improvement of our Bill, you have inspired articles in the Press to discredit the Government, you have appealed to Sir Michael Sadler, to the Government of India and the Government of Assam to oppose our Bill.

I invite you at this time when the Vice-Chancellor's office must be filled anew—a time which is also one of momentous consequence to the University—to assure me that you will exchange an attitude of opposition for one of wholehearted assistance, for in our co-operation lies the only chance of securing public funds for the University without impairing its academic freedom. If you will do this, if you will work with us as a colleague and trust to your power of persuasion to get what you consider the defects in our Bill amended, if you can give an assurance that you will not work against the Government or seek the aid of other agencies to defeat our Bill, then I am prepared to seek the concurrence of my Minister to your re-appointment as Vice-Chancellor and I am confident that we can produce a Bill which will both secure the approval of the Legislative Council and be of lasting benefit to the University. If you cannot conscientiously do this, you must make yourself free to oppose me by ceasing to be Vice-Chancellor."

Now I read extracts from Sir Ashutosh's reply:—

"I shall finally consider your offer to re-appoint me as Vice-Chancellor subject to a variety of conditions. There are expressions in your letter which imply that I am an applicant for the post and I am in expectation of re-appointment. Let me assure you that if you and your Minister are under such an impression, you are entirely mistaken. You ask me to give you a pledge that I shall exchange an attitude of opposition for one of wholehearted assistance. You are apparently not acquainted with the traditions of the high office which I have held for ten years. I was first called upon to accept the office of Vice-Chancellor by that God-fearing soldier, the late Earl of Minto. He did not bind me with chains but on the other hand expressly enjoined me to work in concurrence with the Senate in such manner as might appear to my judgment to be in the truest interests of the University.

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It was my privilege to work as a member of the Syndicate with eight successive Vice-Chancellors during a period of seventeen years, before I was called upon to accept that post, and most, if not all of them, were eminent men imbued with the traditions of the office from the time of their predecessors. Many of the occupants, ever since the days of our first Vice-Chancellor Sir James Colvile, Chief Justice of the Supreme Court, have been men who had taken oath to administer justice in the name of their Sovereign. To them it would have been a matter of astonishment to be told that as Vice-Chancellors, they were expected to adapt themselves to the views of the Government, simply because it was the Government which had the appointment in its gift. I have, I maintain, scrupulously adhered to the cherished traditions of my office and it has never entered into my mind during the last two years that I was seriously expected to adapt myself to the wishes.....

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): As what you are reading appears to be very long, will you now make your point clear in a short speech?

Babu AKHIL CHANDRA DATTA: I have said that I want to make it clear from these two letters that the tendency of the Government is to officialise the University, specially the appointment of the Vice-Chancellor.

Mr. PRESIDENT: Do you mean to say that you are going to criticise His Excellency's action? You know that you cannot do so.

Dr. BIDHAN CHANDRA ROY: His Excellency is also the Chancellor and he is reading extracts from the Chancellor's letter.

Mr. PRESIDENT: But I want to know why are you reading these extracts. Do you want to criticise the action of the Chancellor on this particular matter?

Babu AKHIL CHANDRA DATTA: My object is to prove that the Chancellor is trying to officialise the University.

Mr. PRESIDENT: I think we have had enough of that, you should now develop your point by your own remarks.

Babu Akhil Chandra Datta continued reading extracts from that letter.

Mr. PRESIDENT: Please do not read from that any more but make out your case, if any, from what you have already read.

Babu AKHIL CHANDRA DATTA: I must bow to your decision but allow me to make this submission—I am trying to prove my point by this documentary evidence.

Mr. PRESIDENT: I think what you have already read is quite sufficient for your purpose. Tell us more about the merits of your case.

Babu AKHIL CHANDRA DATTA: But, Sir, if you allow me to read one sentence more it is this:

"You have one before you, who can speak and act fearlessly according to his convictions, and you are not able to stand the sight of him. It may not be impossible for you to secure the services of a subservient Vice-Chancellor, prepared always to carry out the mandates of..... .....

Mr. PRESIDENT: Is not that sentence finished? You wanted to read one and one sentence only. (Laughter.)

Babu AKHIL CHANDRA DATTA: I will finish it in half a minute, Sir.

Mr. PRESIDENT: I do not want you to read any further extracts. Please go on with your speech or resume your seat.

Babu AKHIL CHANDRA DATTA: I am sorry I am driven to this position. I was trying to prove that the Government does not

want any independent man as Vice-Chancellor. They want subservient people who in the words of Sir Ashutosh Mukherjea are prepared always to carry out the mandates of your Government and act as spies on the Senate.

Maulvi MOHAMED SADEQUE: I think this House has been made the platform for the vindication of personal grievancés owing to severe disappointments. We all know that the University of Calcutta is an impregnable fortress in which no access of the Muhammadans was possible under the present Act. If Mr. Oaten has anyhow managed to get in more Muhammadans through the official door we have not only to thank him but we should be grateful to him because we have found that the claims of Muhammadans are systematically ignored. About Rs. 3,50,000 is spent on Hindu culture, Hindu civilisation and Hindu research. The amount available from the endowment funds are being spent solely for this purpose, but except only a paltry sum of Rs. 2,400 which is being spent for Islamic history and culture as if the Mussalmans have got no civilisation, no culture and no religion of their own, no other amount is spent on Islamic history, civilisation or research.

3-45 P.M.

Sir, it seems to me most strange that when a European gentleman takes strong measures against the Muhammadans there is a certain section of the non-Muslim group in this House who not only eulogise him, but also attempt to vindicate his unjust or worng action, but as soon as some other European gentleman takes up the cause of the Mussalmans on just and reasonable grounds he is not only attacked but systematic obstruction and criticism are directed against him. This is most pitiable, and I most emphatically denounce the treatment that is being meted out to Mr. Oaten for no fault of his own, because the unfortunate Mussalmans have got in anyhow into the Senate or the Syndicate through his good administrative ability. We all know that so long as Sir Ashutosh Mukherjea was living this University of Calcutta was his monopoly and also the monopoly of his lieutenants. And to break that monopoly requires systematic organisation and attack. And if Mr. Oaten has done anything to break up that monopoly—to crush that monopoly—I think we should in a body oppose the motion and support the Ministry (A VOICE: Thank you.) Some gentleman is saying something to imply that we have come here to support Ministry, but I say that some of the members have come here to oppose all motions by which the Muhammadans might get any advantage.

With these words, Sir, I oppose the motion and I think that the members sitting on this side of the House should also in a body oppose this.

Mr. S. C. BOSE: Mr. President, Sir, the late Minister of Education has spoken in a strain which I think I can only characterise as the "Galloper's" strain! The strain of the music at Whitehall is co-operation; and it is not surprising that in these days of long-distance telephones, megaphones, and so on, that that music should have been echoed and re-echoed in this Council chamber.

Sir, may I remind this House that the Universities Act was passed in the year 1904. It was passed in the teeth of great non-official opposition and members of this House could not have forgotten that the leader of the opposition was the late Babu Surendra Nath Banerjea, then the leader of Bengal if not of the whole of India. Speaking on a memorable occasion on the Universities Bill which was subsequently passed into law the late Babu Surendra Nath Banerjea said:—

"I desire to warn our rulers that they stand before the bar of history where all the pomp and the glitter and the circumstances of their proud position will avail them not". He warned the Government further into the domain of education, the Indian nation "would permit no trespass, none of the arts of poaching". But unfortunately during the administration under the Universities Act of 1904 we have seen systematically the art of poaching practised to greater and greater perfection. We had not long ago the Minister of Education on the Senate. Now, Sir, the purposes of the Government cannot be satisfied until they have the Secretary of Education Department also on the Senate; because, Sir, the Minister under the Reforms Act has got to be controlled by his Secretary. Not long ago, in speaking on the motion as to whether this Council should agree to the appointment of Ministers, speaking on behalf of the members on this side of the House, I said that we are not enamoured at the prospect of a team of two or four crouching, cringing slaves who would act according to the dictates of their Secretaries.

Now, Sir, this House is also aware that the Calcutta University Commission submitted their report in the year 1919. The University Commission began their labours in the year 1917. They travelled about the country collecting evidence and embodied them in their report. This report I may characterise as one of the most valuable reports on the subject of education that one has come across in any part of the world. At the time when Sir Ashutosh Mukherjea and his colleagues were touring about the country collecting evidence for their report, the late Minister of Education was compiling the Report of the Committee which has come to be known as the Rowlatt Committee. In 1919 when Sir Ashutosh Mukherjea and his colleagues produced the University Commission's Report, Sir P. C. Mitter, the late Minister of Education, produced a Report which has earned for him from his countrymen the infamous name of "Rowlatt Mitter". Now, let us see,

Sir, how the late Minister of Education attempted to deprive the public, to deprive the University, to deprive the educated world, of the benefits of the recommendations of the University Commission's Report. Sir, he was in office at a time when there was no obstruction, when there was undiluted co-operation—co-operation pure and undefiled—but how did he utilise the three years of his official career? Sir, his whole career is on record. Though the recommendations were there, the Minister did not even use his brains to find out what was immediately necessary and what not. Let us see how he utilised his official career. My esteemed friend, Mr. Akhil Chandra Datta, has read to the House the letter written by the Chancellor to the late Sir Ashutosh Mukherjea, apparently with the knowledge and advice of the Minister, as I find that the Chancellor has referred to the Minister in the letter. Apart from the petty squabbles in which the Minister indulged we have nothing in the shape of "constructive work" for the University during the whole tenure of his official career. As I said, Sir, when the University Commission were busy producing for the public a document which was of the greatest importance to the educated world, the Minister and his colleagues were busy in preparing a document which is known as the Rowlatt Committee's Report. They were busy forging weapons which would deprive citizens of their lives and liberties. That is the history of the late Minister of Education's career of public service.

Now, Sir, is it not strange, passing strange that while other universities have adopted, partly no doubt—some more, some less—the recommendations of the Calcutta University Commission's Report, the province—the presidency—for whose benefit this report was prepared has not yet taken advantage of its recommendations? Is it not surprising that though lakhs and lakhs of rupees were spent on this report for the benefit of the Calcutta University—the Commission itself was called the Calcutta University Commission—that while the other Universities took the cue from its recommendations and adopted them in practice, the Government of Bengal, and its powerful Minister of Education, never took the trouble to frame a Bill on the lines recommended by the University Commission. And after that he talks of co-operation! But I shall come to that presently. I shall in passing refer to a remark or two made by the Director of Public Instruction. Sir, the exhibition of manners he has shown in this Council chamber this afternoon, I am sure, will not be emulated by any one whether on this side of the House or the other. Is it a matter of surprise that his manners proved too much for mild students belonging to a mild race? He has said that my esteemed friend Mr. Manmatha Nath Roy—I think I have taken his observations down correctly—is perhaps an authority on cattle or buffaloes. Possibly, Mr. Oaten felt the necessity of buffaloes now and again; possibly he thought that the alternate

kicks and goadings from the buffaloes were necessary in order to drive the official cattle into the path which would lead to the benefit of the University and university education. Possibly he felt the absence of these alternate kicks and goadings since the death of that great national leader, Sir Ashutosh Mukherjea, the pioneer of university education in Bengal. But, Sir, there might be another reason why he was thinking so much of authorities on the subject of cattle. One has no doubt that since the death of the great Sir Ashutosh Mukherjea the absence of somebody who could inject some brains into the official herdsman of official cattle and buffaloes has been felt very much; for, unless the official herdsman was injected with some brains, he could not possibly take charge of his cattle and buffaloes.

Now, Sir, I come back to the talk of co-operation which has been indulged in by the late Minister of Education. Well, Sir, if co-operation means that the nationalist members of this House are going to troop into the lobby with the Ministers to vote with them on the question of band or body-guard, or the question of secret-service money, or on any other question, the effect of which is to deprive citizens of their lives and liberties, this side of the House will certainly refuse to co-operate. But if co-operation means the introduction of Bills which have the promotion of national good as their object, which will mean a new chapter in our University education, and which will mean the democratisation of the University, which will mean giving right to the graduates of the University to take part in their University affairs, which will give real responsibility to the citizens and replace the dumb-driven, official cattle—if co-operation means the production of a Bill, or Bills, which will promote the healthy growth of the University life and education, then, surely, the late Minister of Education knows that the members belonging to the Congress Party are pledged to support all such measures. (Hear, hear.) If we have failed to co-operate, we have failed to co-operate with misdeeds. We have failed to co-operate with the Rowlatt Report and reports like that, we have failed to co-operate in voting for the Governor's band, we have failed to co-operate with official acts, whether it related to University education or secondary education. But we shall never fail to co-operate in matters which will promote national interest, which will promote national unity, which will give higher and better education to both Hindus and Muhammadans and to all other communities inhabiting this country, which will promote the larger interests of the country as opposed to the smaller interests of the official cattle.

Sir PROVASH CHUNDER MITTER: Sir, might I have your ruling on a certain point. I understand that partly during my presence and partly during my absence my administration as a Minister was criticised. I want your ruling whether you will permit me to reply on that point.

I submit, Sir, that that was not strictly relevant, but since my friends opposite have thought fit to go into the matter, in common fairness I should be allowed to reply. I am in your hands in this matter.

Mr. PRESIDENT: So far as I understood, Mr. Bose was only attempting a reply to the speech which you made last evening, and I do not think that any reply on your part will serve any useful purpose. (Hear, hear.)

Sir PROVASH CHUNDER MITTER: I am in your hands, Sir. But may I point out that in my speech yesterday there was nothing about my administration.....

Mr. PRESIDENT: Do you rise on a point of personal explanation?

Sir PROVASH CHUNDER MITTER: I rise partly on a point of personal explanation, and partly on account of the new points which have been brought forward.

Mr. PRESIDENT: I think you can only rise on a point of personal explanation.

4 P.M.

Sir PROVASH CHUNDER MITTER: In rising to offer a personal explanation, I say this that so far as the Sadler Commission's Report was concerned, those who took the slightest interest in these matters and those who rushed in to speak before they had read that report ought to know.....

Mr. PRESIDENT: That is not a personal explanation, Sir Provash.

Babu JITENDRALAL BANNERJEE: Mr. President, I am sorry that Mr. Oaten spoke before me and I am sorry that he spoke at all. The provocative manner and aggressive attitude he assumed has given this debate an unfortunate turn which it might not otherwise have taken, and portions of his speech were in execrable taste, especially as coming from an official who presides over the Department of Education and affects to understand University affairs. I do not pretend to understand the insinuation that he meant to convey by describing Mr. Manmatha Nath Roy as an expert in cattle and buffaloes. I think it beneath contempt even to try to understand the insinuation; but, Sir, if Mr. Manmatha Nath Roy.....

Mr. E. F. OATEN: Sir, I rise on a point of personal explanation. Whenever the word "buffaloes" was mentioned in the Calcutta University, either in the Senate or in the Syndicate, the members

understood, and Mr. Roy also understood, that the expression was nothing but humorous.

Babu JITENDRALAL BANNERJEE: If it was humour, it was humour of the worst possible description.

Mr. E. F. OATEN: As I have said, Mr. Roy understands perfectly well that the expression "buffaloes" is a standing friendly joke in University circles. If it is taken that there is the slightest hint of insult in the remark, I apologise.

Mr. PRESIDENT: Mr. Bannerjee, now that Mr. Oaten has so gracefully apologised, I hope you will not pursue the matter any further.

Babu JITENDRALAL BANNERJEE: After what Mr. Oaten has said, I shall not certainly pursue the point any further, and I am free to declare that now at last Mr. Oaten has shown some sense of humour.

Sir, with one part of Mr. Manmatha Nath Roy's contention I perfectly agree. I say that Government has been culpably and criminally negligent in bringing forward a University Bill which has been long overdue during all these years. They ought to have brought forward a Bill, not simply for the purpose of giving effect to the recommendations of the Sadler Commission but also for the purpose of establishing the Calcutta University on a broad and democratic basis. As Mr. Roy pointed out yesterday, it is a matter of shame that here, in the premier University of India, there should still be only 10 per cent. of elected members and 90 per cent. of the fellows nominated by Government. And after that, when I listened to Rai Harendranath Chaudhuri speaking of the officialisation of the University, I doubted whether he understood what officialisation means. How can you, Sir, officialise a University which has already a standing bodyguard, a solid phalanx, of 90 per cent. of the total number to bow and nod and vote in whichever direction their masters bid them to do?

Rai HARENDRANATH CHAUDHURI: We stand corrected, Sir.

Babu JITENDRALAL BANNERJEE: But though I agree with Mr. Roy's contention partly, there is a point on which I shall join issue with him and also perhaps with many other members of this House.

The charge that has been brought against Sir Provash Chunder Mitter—I shall repeat it to-day, even after the personal explanation that he has given. Sir Provash asked us yesterday—asked us, pointedly, the members on this side of the House—to co-operate with Government in introducing a proper University Act. What was Sir Provash doing

himself during the 3 years of his Ministership? During the 3 years he was a Minister he had ample opportunity of displaying his constructive legal genius. What was his constructive legal genius doing during these 3 years, when he had not a body of non-co-operators to deal with but a complacent Legislative Council ready to acquiesce in whatever measures he chose to bring forward? Therefore, if the Government is to blame, Sir Provash Chunder Mitter, the so-called popular Minister, was still more to blame. He had the opportunity and he had the backing behind him, and yet he failed to utilise this opportunity of placing the Senate on a proper and adequate basis as he might well have done. But even Sir Provash is not the last word on the point. If Sir Provash was guilty, can we say that the Syndicate of the Calcutta University was not equally guilty in this matter? And here I join issue with Mr. S. C. Bose. He said that this particular Act, the Act under which the present Calcutta University stands constituted, was passed in 1904; and he reminded us that it was passed in the teeth of a fierce agitation led by Sir Surendra Nath Banerjea; but he forgot to mention that the Bill was passed into law with the help of Sir Ashutosh Mukherjee. Sir, more than 20 years have elapsed since 1904; and during these 20 years, we had ten long years of the Vice-Chancellorship of Sir Ashutosh Mukherjee. Was any effort made then to get a proper Act introduced? Then, there were 3 years of the Vice-Chancellorship of Sir Deva Prosad Sarvadhikari. Was any effort made then again to get a proper University Act introduced? Lastly, there were 3 years of the Vice-Chancellorship of Sir Ewart Greaves. Was any effort made then to introduce a proper Act? No, Sir! So long as one party was predominant and so long as that party could get its nominees accepted by the Government, so long we never heard the least whisper of a democratic constitution for the Calcutta University and no one stirred in the matter. Now that another party is in power, and one clique has given place to another; one faction has been succeeded by another, there is a fierce and sudden outburst of democratic zeal and fervour on the part of all and sundry, and we have a caterwauling as of any number of Kilkenny cats fighting on the floor. And as we watch this ignoble squabble between the rival factions, we, the common men of the street, cry out "a plague upon both your houses".

There is another point still on which I must say that I differ wholly, totally and absolutely from what Mr. Manmatha Nath Roy said yesterday; and that was the attack he launched against the present Vice-Chancellor. There I join issue with him as strongly, as forcibly and as emphatically as I can. I shall not pretend to say that there is no personal factor in the matter. There is a personal factor. I have, Sir, all the partiality that one teacher has for another, I have all the partiality of a pupil for his own teacher, for I claim Mr. Jadunath Sarkar as a teacher of mine, and I have all the partiality of an Indian

for another eminent Indian—a fact which some of my friends forget; and, Sir, I have the natural prejudice—a common man's prejudice—against the cult of the super-man. We have had super-men—too many of them—within recent years, and I pray for the time when, leaving super-men aside, we may go back to the sober lights and normal levels of the natural, ordinary, common man. The charge against the present Vice-Chancellor is that he is neither eminent nor independent, and that he has been officialising the University, if that is possible—which I beg leave to doubt. Sir, if Mr. Roy is of opinion that eminence can only mean legal eminence, such eminence as he has risen to, then of course Mr. Jadunath Sarkar, not being within the charmed circle of legal luminaries, cannot pretend to eminence. But I cast my glance over the whole length and breadth of India, and I ask—where else do you find a man so gifted with scholarship, so gifted with rare powers of literary and historical criticism as Mr. Jadunath Sarkar? To deny the title of eminence to such a man is certainly a travesty of language, a violation of ordinary fact and truth. But it is not simply that Mr. Sarkar has been denied eminence, he has been denied also independence. I do not know what the charge may mean. Perhaps it is meant that he is an official—though, technically, being a pensioner,—Mr. Sarkar ought not to be regarded as a Government servant at all. But leaving the technical point aside, may I ask how many of your previous Vice-Chancellors have not been officials? What was Sir Ewart Greaves? A High Court Judge—but an official none the less. The Leviathan may be the biggest of monsters but is a sea-beast all the same. What was Sir Ashutosh Mukherjee himself? An official and a High Court Judge to the last day of his incumbency of the Vice-Chancellorship. And should these facts be forgotten only in order to make a point against the much-hated bureaucracy?

Sir, the last charge, the heaviest that has been brought against Mr. Jadunath Sarkar, is that he has been officialising the University. As I have said before, those who bring the charge labour under a certain deficiency in the sense of humour. They admit that 90 per cent. of the members are officials and then they go on to say: "Here is a man who officialises the University". How can he do so, how is it possible for him to do so? I shall be able to show from facts that I have in my possession that this charge is as base as it is baseless. The only way in which the charge could be substantiated would be if Mr. Jadunath Sarkar had filled up the vacancies caused by the retirement of non-officials by officials: and I challenge any one here to prove that he has done anything of the sort—he has never done it. Looking at the number of vacancies that have occurred during his incumbency of office we see that he has never placed an official in place of a retiring non-official. Whenever there has been a vacancy, he has filled it up by the appointment of somebody belonging to the same category as

the retiring member. An official has been replaced by another official, a University servant by another University servant, a Muhammadan by another Muhammadan, and so on. There has been not a single exception to the rule. Here I have a list of nearly all the vacancies that have occurred and have been filled up. There was Khan Bahadur Aminul Islam, a Muhammadan and an official, and in his place was appointed Mr. Latifur Rahman, another Muhammadan and official. There was Principal G. C. Bose and in his place was appointed Mr. J. Chowdhury—both non-officials and both belonging to private colleges. There was Mr. Abanindranath Tagore—in his place was appointed Dr. Jnanendranath Mukherji—a London D.Sc., a nominee of Sir Ashutosh Mukherjea and Khaira professor in the Science College. In place of Mr. Egerton Smith, a European official, was appointed Mr. Gilchrist—another European and official. Mr. C. C. Biswas was appointed in place of Mr. Surendranath Mallik. I have not much love for either of them—there is much of a muchness between these two persons—and if one is called upon to make a choice it will be difficult to do so. In place of Dr. Brühl, you have got Dr. Suniti Chatterji—both University professors. The only change is that, in place of a European, you have got an Indian—a savant of world-wide reputation. This is the only kind of change that Mr. Sarkar has made. In place of four Europeans, he has appointed four Indians; that is the only change; and do you say that the change is one to be regretted?

From talking of the Senate, let me now pass on to the Syndicate. Mr. Oaten has said that on this body there are only 6 officials .....

Dr. BIDHAN CHANDRA ROY: Eight officials.

Babu JITENDRALAL BANNERJEE: I shall accept the correction of Dr. Roy that there are 8 officials on the Syndicate. But will members remember that the number was in the halcyon days before Mr. Jadunath Sarkar became Vice-Chancellor? During 1914, 1915, 1916 and 1917, the number of officials was 9—not 8 as now; and from 1920 to 1922 the number was 8—not 7 as now. Therefore if there has been a change, the change has been in the direction of having fewer officials—not of more.

Sir, I am not called upon to pursue the matter any further. The charges that have been levelled against Mr. Jadunath Sarkar are absolutely without foundation.—Of course, I regret the way in which Mr. Sarkar was appointed. He was nominated by the Government, and I have a sort of contempt for all nominated creatures, whether nominated to the Senate or to the Legislative Council. But there you are—that is in the Act itself. And so we come back to the root of the matter. Get the Act changed by all manner of means. Unite in order

to frame a proper measure and cram it down the throat of the Government whether they like it or not. When that fight comes on, you will not find me behindhand in the struggle; but meanwhile do not stultify yourselves by bringing baseless charges against one who is of us and for us, who belongs to our very own, and who is a credit and glory of our University.

4-15 P.M.

Maulvi KASIRUDDIN AHAMAD: Sir, I am sorry that although we Mussulmans do not whole-heartedly support the present University policy, we cannot support the motion of Mr. Manmatha Nath Roy, who seems to be actuated by personal feeling in moving this motion of censure. The Minister is new and we do not know that he has done anything wrong and why should we censure his administration for the faults of a previous Minister or Ministers? I am not here to defend Sir Provash Chunder Mitter or Sir Ashutosh. Let the past be buried in oblivion and let us Hindus and Muhammadans join hands in promoting our mutual welfare by promoting our respective culture both of which have their sacred and hoary associations and traditions. Hindus and Muhammadans and I add Europeans are bound to live together in this ancient land and let us not rake up the quarrels of the past and embitter our feeling but advance on the lines of order, progress and mutual good will. With these words I oppose the motion.

(At 4-20 P.M. the Council was adjourned and it re-assembled at 4-30 P.M.)

Srijut BIJAY KUMAR CHATTERJEE: I beg to support the motion of my hon'ble friend Mr. Manmatha Nath Roy.

Sir, I find that some unnecessary heat has been created during the discussion on this motion. Mr. Manmatha Nath Roy strongly condemned the present Vice-Chancellor. Some of my friends on the other side assumed that Mr. Roy also condemned the present Minister. All that Mr. Roy said was that he would carefully watch the doings of Mr. B. Chakravarty. There is absolutely nothing wrong in it. Some of my friends in their anxiety to defend the present Vice-Chancellor even went so far as to allege that we are refusing co-operation. I am not one of those who are fighting with the present Vice-Chancellor within the University. I am not a party man and I am taking dispassionate view of the situation. Sir, I blame the system which provides for nomination of 90 per cent. of the Fellows by the Government. What is the result of such a system? The history of the Calcutta University during the last four years bears testimony to the pernicious effect of the nomination system. The different Vice-Chancellors who held office of this great institution could not avoid

the evil effects of this system of nomination. So long as the Vice-Chancellor will act as a spy or at least as a subservient ally of the Government the Government will give him a free hand in the educational policy and internal administration of the University. But the moment he wants to go against the policy of the Government for the real good of the country, the Government would not tolerate him but drive him out of the University. The result is, and we find that the moral backbone of the whole educated community of Bengal has been broken, and we find favouritism, nepotism, slavery and dishonesty prevailing within the University. I say again that the system should be changed immediately. A legislative enactment is long overdue and a moment more should not be lost to bring the administration of the Calcutta University within popular control. We do not want a Vice-Chancellor to be nominated by the Government. Nomination is bad. It brings with it the badge of slavery and the *personnel* of the Vice-Chancellor becomes immaterial. He will either be the tool in the hand of the Government or an autocrat in unholy alliance with the Government. Not to speak of a pigmy like Mr. Jadunath Sarkar, even great giants could not avoid the evil influence of it. The stagnation, the filth, poisonous gas that have accumulated within the *precincts* of the holy temple of learning should at once be removed and it should be freed from all these evil influences, the inevitable consequence of the present system, and righteousness, honesty, morality, and *piety* should be the qualification of those who boast to be the votaries of this temple of learning. I repeat again that the moral backbone of the educated community in Bengal has been broken and the present system is mainly responsible for this crisis and any legislation to improve it would be welcome. I condemn the system and I say that the system should be changed immediately and freed from official influence. I therefore suggest that all personal questions should for the moment be hushed up, all party considerations should be given up, and everybody should join hands to save our *Alma mater* from the present danger. But one thing I tell plainly that in attempts at improvement we should take special care that we may not fall again under the influence of the Government. I can assure that everybody will have the support from this side of the House if there is really an honest endeavour to improve the University and if it be freed from the official control; he will have our co-operation if he really wants it. But if the present voting during the different grants by the other side of the House be an indication of the standard of self-respect, we have great cause for apprehension and it is for them to remove the cause of apprehension. Sir, we value self-respect more than anything else, and if anybody can bring in a legislation that is consistent with the self-respect of the educated Indians that would free the University from the control of the

Government Secretariat that would free the system from its present cliques, he will have the support not only of this side of the House but of the whole of educated Bengal.

But before that is done and so long as the present administration continues we have no other alternative than to support the motion of Mr. M. N. Roy.

Srijut TARAKNATH MUKERJEA: Sir, I desire to support the motion that my friend Mr. Manmatha Nath Roy has brought forward as a protest against the reactionary policy that is being pursued at the present moment in regard to University matters. It is often declared by responsible people that the settled policy of Government in regard to transferred subjects now is that their administration should be shaped more and more in accordance with the wishes of the people. What is, however, being actually done as is known to persons familiar with the manner of administration of Calcutta University is the adoption of steps and this is being effected quietly and in a perfectly ingenious way I mean, the adoption of steps whose effect has been the virtual transfer of the guidance and control of the affairs of the University from College Square to Writers' Buildings, and its conversion into an annexe of the Secretariat.

Sir, as you are all aware, Calcutta University is administered under the provisions of an Act which was revised and planned about a quarter of a century ago with the avowed object of placing higher education in India under effective official control. Some of you must have a vivid recollection of the strong opposition that the measure aroused and of the vigorous protests that were made against the projected officialisation of our University by such eminent Indians as Sir Gurudas Banerjee, Dr. Mahendra Lal Sircar, Mr. Gopal Krishna Gokhale and many others. It is natural that I should feel myself proud of the fact that my grandfather Raja Peary Mohan Mukherjee was also among those who were far-sighted enough to raise their voice of protest against the policy of Lord Curzon's Government in the matter of higher education on the eve of its initiation.

In most of the provinces the new educational policy of Government had the inevitable effect of restricting the spread of higher education and bringing it under official control. Bengal was, however, able to withstand the effects of this sinister movement because of the boldness and courage of Sir Ashutosh Mukherjea. It was, in fact, his skilful handling which saved the situation in our Province. Now that Sir Ashutosh is no more no steps are being spared by the authorities to realise the original object of Lord Curzon's policy. People conversant with the course of events in connection with Calcutta University during the last few years need not be told how persistent and

strenuous has been the opposition of people in authority to the policy of de-officialisation and Indianisation started by Sir Ashutosh.

While University education in most of the other Provinces is being brought more and more under popular control, we find that in Bengal the autonomy of Calcutta University is being gradually undermined under its present subservient administration. It is preposterous that decisions on important matters relating to the University should be dictated from the Secretariat. The recent nominations to University fellowships, in which connection we remember that Sir P. C. Roy was not re-nominated until there was a chorus of protest against his projected removal from the Senate and that an experienced and independent educationist like Principal G. C. Bose has not yet been re-nominated shows that the policy followed in the matter has been brought into line with the policy according to which Government now make their nominations to other self-governing bodies from among people who might be expected to carry their behests.

Education is an affair of the people. It is naturally demanded therefore that in a matter like this which is of such supreme importance to the future progress of the Province, the voice of the people should prevail. A Senate of which 80 per cent. of members are nominated by Government and to which nominations have begun to be made in such a way as to arouse suspicion and public disapproval cannot be regarded as a self-governing institution capable of carrying out an independent policy. We remember that Justice Greaves, himself a high Government official, on the eve of his retirement from the post of Vice-Chancellor of the Calcutta University did not hesitate to sound a note of warning against the danger that threatened the University owing to the present attitude of Government in regard to its administration. The situation demands that the University should be constituted on a popular basis, the Vice-Chancellor should be an elected officer enjoying the confidence of the public and Government should contribute more liberally towards the maintenance of the University. All these steps should be taken without any further loss of time, if the future of higher education in Bengal is to be safeguarded.

Dr. PRAMATHANATH BANERJEA: I rise to support this motion not because I want to reduce the grant to the University by even one rupee but because I want to suggest that this grant be increased. The Senate of Calcutta University, some time ago, demanded that it was essential in order to carry on the work of the Post-graduate Department, that Government should make a grant of 3 lakhs of rupees. This Council also passed without a single dissentient voice, a resolution to the effect that Government should grant Rs. 3 lakhs.

Now, Sir, Government accepted that recommendation only in a half-hearted manner and gave partial effect to it. This cannot but be regarded as petty-mindedness on the part of Government and I urge that the full demand of Rs. 3 lakhs be granted. I also urge that the Science College which is in need of improvement, particularly in respect of equipment, should be granted at least half a lakh of rupees.

As regards the amendment of the constitution of the Calcutta University, it is recognised on all hands that this reform has long been overdue. But why has this reform not yet been taken in hand? Some of my friends have suggested that Sir Provash Chunder Mitter was responsible for the delay; others have suggested that the University itself was not free from blame. Now, Sir, with regard to the point which was raised by my friend Babu Jitendralal Bannerjee I have to point out that he is under a misapprehension. During the last four years the University did prepare a Bill for the reconstruction of the University. The representatives of the University met Government several times; but they were not able to satisfy the Government that the Bill proposed by them was a good measure. That was not the fault of the University. The fact is that the University and the Government have not seen eye to eye in this matter. But you should not blame the University for its negligence. When Mr. B. N. Basu was Vice-Chancellor, the representatives of the University of whom I was one, met the Government of Lord Lytton. Then again, during the Vice-Chancellorship of Sir Ewart Greaves, we had several conferences at Government House but Government was unable to appreciate our view-point. Therefore, the University was not able to carry out its definite proposals. But, any way, it is high time that the constitution of the University should be amended; and I hope the amendment will be on such lines as will secure the representation of the educated community and also the representation of teachers in schools and professors of colleges and of the University, and will ensure for the University the fullest measure of independence and freedom from outside control.

4-45 P.M.

Babu BEJOY KRISHNA BOSE: Sir, as the time-limit is fast nearing its end I do not like to enter into the details of the administration of the Calcutta University or the policy of Government with regard to it. I rise only with a view to speak on two things that have been said by my learned friend Babu Jitendralal Bannerjee. Mr. Bannerjee has said that the other Vice-Chancellors of the Calcutta University were officials including Sir Ashutosh Mukherjea and Mr. Justice Greaves who were the predecessors of Babu Jadunath Sarkar. To say, Sir, that a Judge of the High Court is a part of bureaucracy is a slander on the High Court, because these Judges are appointed by the King-Emperor

and they are here to administer law and they do not form either a part of the bureaucracy or any cracy. But what we want in an officer is that he has not a bureaucratic instinct and whether he has it or not is a question of mentality. The first thing that can be said with regard to the appointment of Babu Jadunath Sarkar is this: that he was nominated by Government and he is the person who in the columns of the daily papers and in monthly magazines attacked the administration of the Calcutta University; and what I beg to submit is, that a man like him who was prejudiced against the administration of the Calcutta University ought not to have been appointed by Government. Secondly, Sir, is it not a fact that the present Vice-Chancellor Babu Jadunath Sarkar goes to the Secretariat in order to see the Secretary to the Education Department and the Director of Public Instruction, perhaps to take inspiration from them, and I want to know whether any other Vice-Chancellor had done so before. I want also to know whether it is not a fact that Babu Jadunath Sarkar is seen in the corridors of the High Court with an umbrella in his armpit in order to have an interview with the Hon'ble Sir George Rankin, the Chief Justice of the High Court, and waiting outside the Registrar's room for the purpose. These are, as I have said before, matters of mentality. If we find the Vice-Chancellor going out of his way to see the Education Secretary and other officers and to consult the Judges of the High Court and waiting there like ordinary clients.....

Mr. PRESIDENT: Order: order. Will you be justified in casting any reflection upon Mr. Sarkar in his private capacity.

Babu BEJOY KRISHNA BOSE: Certainly not, Sir. But I say, Sir, that if he visits the High Court.....

Mr. PRESIDENT: I think Mr. Bose you had better not do that

Babu BEJOY KRISHNA BOSE: I was going to submit and I hope you will kindly allow me to say this that he does not go there in his private capacity and I do maintain that he goes there as Vice-Chancellor: especially as these visits are followed by meeting of the Governing Bodies in the chambers of the learned Judges. I am asking the department whether when he goes to the Secretariat or to the High Court is it for the purpose of exchanging interviews or for any other purposes?

Then with regard to the Bills attempted to be introduced by the members of the Syndicate, I am afraid, my friend Mr. Bannerjee is entirely wrong. Perhaps he is not aware that two Bills were prepared—private members' Bills, by Babu Surendra Nath Mallik and Babu Jatindra Nath Bose. These Bills were considered and they were

opposed, and Sir Ashutosh Mukherjea had taken great pains to prepa a Bill and that Bill was discussed in the University and subsequentl sent up to Government, but they could not come to an unanimity i regard to it. Therefore it is idle to say that the University Syndicat took no steps whatsoever to introduce a Bill for the amendment of th constitution of the University. They did it.

My third complaint is about the want of physical instruction an military drills. I have been tabling a resolution for the last two yea but the freaks of the ballot did not allow that resolution to come u before this Council. Excepting the appointment of a so-called Physic Director no attempt has been made to introduce physical training i the schools or military training in the colleges. In Nagpur and i Bombay the Local Councils have adopted resolutions in favour o physical instructions and military training. But in Bengal we hav not got an opportunity of moving a resolution and I hope the Direct of Public Instruction will take steps in the matter.

Rai JADUNATH MAZUMDAR Bahadur: Sir, I think, this is on of those motions which will not hurt anybody except one gentlema who is not a member of this House—I mean the Vice-Chancello Professor Jadunath Sarkar. He is not here and cannot defend himsel Lots of things have been said against him, about his going to the Hig Court and the Secretariat as if my friend Babu Bejoy Krishna Bose i not in the habit of going to the High Court or to the Secretariat.

Babu BEJOY KRISHNA BOSE: If I get money I will go.

Rai JADUNATH MAZUMDAR Bahadur: Is it an offence to se the Chief Justice or the Education Minister? I do not think that an offence. I do not hold any brief on behalf of the Vice-Chancello but I know him through his works and I knew him many years ago whe he was a Professor in the Metropolitan College and have seen him i several important literary conferences. He is a very learned man—man who has devoted his whole life to Islamic culture. We ougl to thank the Government for having appointed such an educationi to the post of Vice-Chancellor and we should not condemn his appoin ment. If we are really to raise this question we should raise it som where else and not in this House.

The Hon'ble Mr. BYOMKES CHAKRAVARTI: Sir, I have listen with great attention to the remarks that have been made both on th side and the other side of the House and I can assure the House th my intention is to put the question of education and the University o a sound and proper basis. I can assure my friends that I shall extremely obliged to them—all of them—if they will help me eith jointly by a conference or separately by notes. In fact I have ask

very many of my friends to give me notes, because this is a subject which would require a sufficient amount of knowledge, to deal with effectively, and because they have got a great deal of experience in regard to the administration of the University. I can assure my friend Mr. Roy that I want to introduce with his help and with the help of the other hon'ble members of the House a proper Bill which will satisfy the requirements of the situation. After the assurance I have given I hope he will see his way to withdraw the motion.

The following motion was then put and lost:—

"That the demand of Rs. 3,84,984 under the head '31A.—Education (Transferred)—University—Grants to Calcutta University' be reduced by Re. 1 (page 146, Civil Estimate)."

Mr. JOGESH CHANDRA GUPTA: Sir, I beg to move that the demand of Rs. 1,00,000 under the head "31A.—Education (Transferred)—University—Non-recurring grants to the Dacca University" be reduced by Re. 1 (page 146, Civil Estimate).

As the members of this House are aware out of this Rs. 1 lakh, Rs. 50,000 represents the initial contribution of Government towards a sewerage scheme and Rs. 50,000 for the cost of a Muslim hall in the Dacca University. At the outset let me assure my colleagues in this House and specially my Muhammadan friends that I yield to none in my desire to advance the cause of Muslim education in all possible manner and I think that all possible facilities should be given for the education of the Muslims in this province. I for one firmly believe that unless the backwardness of the Muslims in respect of education can be removed we cannot expect them to march apace in the fight for freedom and self-government in India. I therefore support all measures calculated to advance the cause of Muslim education. To my mind the most effective step for this end would be to cheapen the cost of educating the Muslim boys especially when the majority of the students of East Bengal come from poor Muslim families. May I now just instance to you one of the first acts of Government towards facilitating Muhammadan education? Instead of doing anything towards cheapening the cost of Muhammadan education we find that the Government constructed a hall called the Dining Hall for Muslim students. I shall ask the members of this House to imagine what is may be and I dare say those who have not seen it can not possibly imagine what that white elephant is. I may tell the House that the original estimate, for the Dining Hall for the Muslim students, whose number at that time when the hall was constructed, was about one hundred, was Rs. 85,000 and when the dining hall was completed the revised estimate came to something like Rs. 1,10,000 or at least well over Rs. 1, lakh. I do not know whether the Government, if it meant really to advance Muhammadan education should not have been well

advised to grant stipends to Muhammadan students instead of building a hall for the Muslim students. Now, I understand that the present scheme of the Muslim hall is going to leave that dining hall alone. The Muslim hall that will be constructed will not be able to utilise that dining hall and possibly it will be left alone just to set up that expenditure whenever some member questions how much are you spending for Muhammadan education? Well, we spent Rs. 1,10,000 for a dining hall. If I am right the present scheme leaves that hall alone and they are going to make some expenses on bricks and mortar. I should say that Government will not be advancing the cause of real Muslim education by spending several lakhs more through the Public Works Department which is known as the public waste department and which is notorious for doing things at at least 50 per cent. higher rate than the ordinary rates of other builders. So, I want to emphasise this and I ask my Muhammadan brethren in this House just to consider whether they should not utilise some of the huge amount that they are going to spend for the Muslim hall by economising the expenditure on the Muslim hall and by not allowing the Government to embark on such extravagant and avoidable expenditure in building a dining hall at an expenditure of a lakh or more.

5 P.M.

If I remember aright, the present Secretary of the Education Department was for some time the treasurer of the Dacca University. Of course, I will stand corrected if it is not a fact. Some of us know that there are many huge buildings in the Dacca University area many of which have not been utilised since the Government shifted from Dacca, and it would be advisable for the Secretary as also for the member for the Dacca University and other Muhammadan councillors here to put their heads together to find out whether they could possibly utilise any of the buildings for the location of the Muslim hall.

Mr. PRESIDENT: Order, order. We have reached the time-limit. I must put your motion forthwith.

The motion of Mr. Jogesh Chandra Gupta was then put and lost.

The motion that a sum of Rs. 1,13,85,000 be granted for expenditure under the head "31.—Education (Transferred)" was then put and a division taken with the following result:—

AYES.

Addams-Williams, Mr. C.
Ahamed, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur *Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.

Bolton, Mr. B. J.
Cooper, Mr. C. S.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Ghosh Mazulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Nadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Habibullah, Nawab Khwaja.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jenkaway, Mr. J. H.
Lahiri, Mr. Sasanka Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mawla, Maulvi Choudhury Calam.
Mazumder, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Mitter, Mr. C. C.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Phelps, Mr. Trevor J.
Prentice, Mr. W. D. R.
Rahman, Maulvi Azizur.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nato
Ray, the Hon'ble Maharaja Bahadu Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sinha, Raja Bahadur Bhupendra Narayan of Nashipur.
Stuart-Williams, Mr. S. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Banerjee, Babu Premotha Nath.
Roy, Mr. Kiran Sankar.

The Ayes being 61 and the Noes 2, the motion was carried.

The time-limit under the head "31.—Education (Transferred)" having been reached the following motions were not put:—

Babu JITENDRALAL BANNERJEE: "That the demand o Rs. 4,88,000 under the head '31A.—Education (Transferred)—Unive sity—Grants to Universities' be reduced by Re. 1 (page 146, Civi Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand o Rs. 13,30,400 under the head '31A.—Education (Transferred)—Unive sity—Government Arts Colleges' be reduced by Re. 1 (page 148, Civi Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand o Rs. 4,21,000 under the head '31A.—Education (Transferred)—Unive sity—Grants to non-Government Arts Colleges' be reduced by Re. (page 148, Civil Estimate)."

Maulvi MOHAMED SADEQUE: "That the demand of Rs. 26,12,30 under the head '31A.—Education (Transferred)—University' b reduced by Rs. 300 (page 140, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 26,12,300 under the head '31A.—Education (Transferred)—University' be reduced by Re. 1 (page 146, Civil Estimate)."

Babu MANMATHA NATH ROY and Maulvi ABUL KASEM: "That the demand of Rs. 27,62,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Re. 1 (page 151, Civil Estimate)."

Srijut TARAKNATH MUKERJEA, Maulvi ABUL KASEM and Babu MANMATHA NATH ROY: "That the demand of Rs. 27,50,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (page 153, Civil Estimate)."

Maulvi ABUL KASEM: "That the demand of Rs. 1,66,000 under the head '31D.—Education (Transferred)—Special—Madrassas' be reduced by Re. 1 (page 158, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI, Babu JITENDRALAL BANNERJEE and Babu ROMES CHANDRA BACCHI: "That the demand of Rs. 3,39,000 under the head '31D.—Education (Transferred)—Special—Direct Grants to non-Government special schools' be reduced by Re. 1 (page 159, Civil Estimate)."

Maulvi ABUL KASEM: "That the demand of Rs. 12,93,000 under the head '31D.—Education (Transferred)—Special' be reduced by Re. 1. (page 154, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Re. 1,35,000 under the head '31E.—Education (Transferred)—(Direction)' be reduced by Rs. 50,000 (page 160, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of its. 1,35,000 under the head '31E.—Direction' be reduced by Rs. 100 (page 160, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 11,91,000 under the head '31E.—Education (Transferred) (Inspection)' be reduced by Rs. 2,00,000 (page 161, Civil Estimate)."

Maulvi ABUL KASEM and Babu ROMES CHANDRA BACCHI: "That the demand of Rs. 11,91,000 under the head '31E.—Education (Transferred)—General Inspections' be reduced by Re. 1 (page 161, Civil Estimate)."

Maulvi ABUL KASEM: "That the demand of Rs. 2,80,000 under the head '31E.—Education (Transferred)—General—Scholarships' be reduced by Re. 1 (page 161, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 27,000 under the head '31E.—Education (Transferred)—Rewards and stipends to Sanskrit tols' be reduced by Re. 1 (page 162, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 1,36,000 under the head '31E.—Education (Transferred)—General—Miscellaneous—Allowances, etc,', be reduced by Re. 1 (page 162, Civil Estimate)."

Babu AMARENDRA NATH GHOSE and Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 1,13,85,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (page 145, Civil Estimate)."

Khan Bahadur Maulvi AZIZUL HAQUE, Maulvi ABUL KASEM, Rai JADUNATH MAZUMDAR and Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 1,13,85,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (page 145, Civil Estimate)."

32.—Medical.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (MEDICAL) (the Hon'ble Mr. Byomkes Chakravarty): Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 45,87,000 be granted for expenditure under the head "32. Medical" (page 163, Civil Estimate).

Babu NALINIRANJAN SARKER: Sir, I beg to move that the demand of Rs. 6,10,500 under the head "32A. Medical Establishment" be reduced by Rs. 100 (page 164, Civil Estimate).

The Hon'ble Mr. Chakravarti is now holding the portfolio of the Medical Department, to minister, as he said some time ago, to the diseased people of this province. But I suspect that on a nearer view, he has discovered that there is nothing for him to administer there, but that he has simply to sit at the top as an ornamental figurehead while the actual work of administration is carried on by the Indian Medical Service officers led by the Government of India and the Secretary of State. He has in fact no control over the agents through whom he is supposed to minister to the medical needs of the

people. This is really a transference of power and responsibility to the people with a vengeance. The whole medical department is under the permanent control of the Surgeon-General, a member of the Indian Medical Service, nor are even the district medical officers in any way amenable to the authority of our so-called popular Minister. For the Minister has no control over the pay of service provisions of his so-called subordinates. Even in the matter of transfer and posting he has but little power. I cite a concrete instance to illustrate this ludicrous state of Ministerial helplessness. Dr. Jogendra Nath Mitra was for some time the officiating Civil Surgeon of Mymensingh. He was the heart and soul of the Mymensingh Medical School and Hospital. His services in the cause of these institutions was acknowledged and praised even by His Excellency the Governor. But when the people of Mymensingh approached the then Minister Babu Surendranath Mallik to keep him there for some time longer so that the Medical School and Hospital might be placed on a permanent foundation through his valuable services, the Minister, however, willing he might have been, or whatever pretensions to responsibility he sought to claim, was powerless to give effect to his own judgment and the voice of the Surgeon General, and of the "steel frame" clique, prevailed When there was no European available the posting of an Indian in a comfortable and lucrative place like Mymensingh was a necessary evil. But when such a one was ready the only business of the Indian was to make way for him.

Sir, it is clearly not a case of the superior man overriding the inferior but of colour dominating colour. Recently, Sir, an opportunity again arose, and again on behalf of the people of Mymensingh the Hon'ble Maharaja Bahadur of Nadia and the Surgeon General were approached, but it was again the old story the claim of the white man prevailing over that of the coloured man.

Now, coming to the budget itself you will find that out of a total expenditure of Rs. 56·98 lakhs, Rs. 11·11 lakhs are non-voted, and represent roughly the emoluments of a handful of Indian Medical Service men. Why this waste, when you cannot find money to render medical aid to the rural areas where millions are dying like cats and dogs? This expenditure can hardly be justified on the ground of their heavy duties or that such duties cannot be adequately discharged by Indians. The position cannot be justified either on the ground of efficiency or high qualification; because, except a solitary Rogers here and there, the average Indian Medical Service men are not in any way better than our own distinguished graduates; for, in their independent practice, where merit is the sole test, they cannot compete with their Indian rivals. Need I point out, Sir, that medical knowledge and skill does not depend upon the colour of the skin, but upon education and the capacity to profit by experience?

And we have yet to learn that the colour of the skin is a bar to acquiring a correct knowledge and experience of the ailments of one's fellow countrymen. We have in this city of Calcutta quite a large number of doctors who are far better physicians than any officers of the Indian Medical Service of the present day.

5-15 P.M.

They have not only distinguished themselves in their profession in this country but have won distinction even in Western countries. In such circumstances this indiscriminate preference given to the European members over their Indian professional colleagues, is nothing if not outrageous. The guiding principle has been according to the Lee Commission, "to secure choice of treatment by men of their own race". Sir, can this be a rational proposition that in every town, every city, where there is a single European officer there should be a European doctor attached to that town or city; and where there are none "travelling allowance for the officer or his family should be granted to and from the nearest station where there is a medical officer and alternatively if more convenient; or if the patient is not fit to travel, the expense of the medical officer's visit should be defrayed by the Government". If there is to be in every town a European Civil Surgeon for one or two Europeans a hundred Indian Civil Surgeons in that same district should on the same principle have to be appointed for the Indian population. They accuse us of having a racial feeling against the European—I ask, Sir, who is it that is responsible for carrying racial feeling to such extremes?

Another plea is based on military grounds. It is said these officers serve as a reserve in times of emergency. If you study the history of the Great War you will find that this plea has no force. During the last War the services of a large number of private Indian practitioners were requisitioned, and were highly appreciated; while so far as Indian Medical Service Officers were concerned, very few of them actually went to the field. If the Government is really serious about creating a reserve to be utilised in times of emergency, far better results may be obtained by making the whole medical profession responsible for proper medical help in times of war. In fact if India is to have a national army, medical conscription will have to be enforced on occasions of national emergency. This plea of maintaining white elephants on military grounds is on the face of it untenable as an honest one.

To put the matter bluntly, the anxiety of the Government to solve the problem of white unemployment has resulted in a permanent first mortgage of our resources to provide for their inflated salaries—a condition of things which is the largest contributory to the hollowness of the reforms and the impotence to which even the most virile of Ministers is reduced. It is well-known, Sir, that the late Sir Surendra

Nath Banerjea attempted to take a definite step in the Indianisation of the medical services. He has himself given us in his book, "A Nation in the making" the full story of his attempt in this direction. He tried to remove certain places in the Medical College from the list of offices reserved for the Indian Medical Service as also to reduce the numerical strength of the cadre of the Indian Medical Service on the Bengal Establishment from 40 to 24, and he even obtained the sanction of the Secretary of State in this behalf. But you have only to look into the latest Civil List to find that the number has not yet decreased, and that his efforts only met with the usual lack of success.

Regarding the withdrawal of certain appointments in the Calcutta Medical College from the list of places reserved for the Indian Medical Service we understand that the perpetuation of this inquitous monopoly of the Indian Medical Service officers has been one of the first acts of Mr. Chakravarti's ministership. He has only recently put his hand and seal to some appointments of Indian Medical Service men in the Calcutta Medical College. To those who can read the political situation in the Council to-day this will hardly come as a surprise. To refuse to oblige the Reserve side of the Government is out of the question for one whose only support for the continuance of his ministry is the solid block of official and European votes. This is the first time in the history of the Reformed Councils when the Council has been so powerless as not to be able to throw out even one of the many obnoxious demands for grants put forward by the Bureaucracy. The Minister's party have given their full support to Government in resisting all the demands which the country has been making for over half a century, for they know that it is the only price which will serve to secure them the official votes. Thus does the inordinate desire to cling to office without considerations of principle, reveal itself to the world in its true character. What a pitiful sight it is to find a Minister standing against the very popular demand which he as an ordinary member of this Council had emphatically supported only a year ago.

In conclusion I should like to make it clear that I do not grudge to the I. M. S. men or any section of Europeans any reasonable gain that may result from any services they may render to India. Any racial feeling or consideration is far from my mind. What I do plead for is equal opportunity for our qualified men, both as a measure demanded by our National self-respect as well as on the ground that the problems of our country can be best understood and devotedly solved by its own sons, who themselves are the victims of the adverse conditions that are sought to be remedied.

Dr. KUMUD SANKAR ROY: I do not want to detain the House at this late hour with a long speech on the subject. The demand is for the medical establishment including the medical officers of the

districts and of the Presidency Division and also of the Surgeon General. I submit that the duties of the Surgeon General and of these medical officers are not merely the treatment of the patients under their care in hospitals and dispensaries in different parts of the province. They have also a further important duty of advising the Minister in charge on the serious problem of medical needs of the province. I submit in the latter duty they have miserably failed as it is evident from the manner in which the budget has been presented to us. A careful study of the budget will reveal the absolute inadequacy of the provision under practically all the heads of expenditure. No doubt the Government have made a few allocations and some allotments for fighting malaria, kalazar and a few other items, but the amounts allotted are so meagre that it will not even touch the fringe of the whole problem. I maintain that the Government has not taken a wider view of the whole situation, for is it not a well known fact that thousands of people are carried away by malaria, kalazar and tuberculosis and although some provision has been made for malaria and kalazar nothing has been done for the treatment of tuberculosis cases. About a lakh of people die of tuberculosis every year and this number will go on increasing year after year unless something is done to prevent the disease from spreading and to treat the people actually suffering from it. It may not be sufficiently known to all of us here that it is not possible if not absurd to treat tuberculosis patients except in special hospitals and sanataria. May I ask Government and its advisers whether any thought has been given to this subject? I find no provision in the budget for combating with it. I can multiply instances to show that many other important items have been left out in the budget which is before us. For instance for a hospital for incurable diseases no provision is to be found in the budget although the subject has been agitating the public mind for many years. There is also no provision for treatment of cancer cases although a large amount of money is spent every year in the treatment of lunatics. I submit that in Bengal the total number of cases of lunacy would not go up to more than two or three thousand at the most. Several lakhs of rupees are spent for them but there is no provision for treatment of tuberculosis although a lakh of people die every year from this disease alone. In every other part of the world, in every other country there is an agreement that seamen suffering from venereal diseases are entitled to free treatment at the cost of the State at all the important ports. The British Government is also a party to that international agreement but I ask what has the Government here done to fulfil their obligation and what arrangement has been made for the treatment and the prevention of venereal diseases. The whole secret of this short coming, in my opinion, lies in the fact that the persons responsible for the administration of this province usually select the very persons who are strangers to this province. I submit that the

appointment of a stranger as the Surgeon General of Bengal is undesirable, he cannot solve the medical problems that face Bengal being thoroughly ignorant of the needs of the province and it takes him 2 or 3 years to get himself acquainted with the subject under his care and probably at the end of this period when he is in a position to do justice to the work before him he is compelled to retire. The time has come and, it will not do to delay this matter any further, a radical change must be made and a comprehensive scheme including all the vital problems ought to be taken in hand immediately. We are now simply tinkering with them. The study of the budget will show that it simply provides for the opening out of a window in one hospital and a door in another, it provides nothing for dealing with the real problems that face the country. I think it is the business of the Government who maintain such a large medical establishment to take the matter up seriously and put up a comprehensive scheme before the Council before long. With these words I support the motion of my friend Babu Naliniranjan Sarker.

The motion of Babu Naliniranjan Sarker was then put and lost.

Adjournment.

The Council was then adjourned till 2-30 P.M. on Thursday, the 24th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council [illegible] under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 24th March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 100 nominated and elected members.

Unstarred Questions

(answers to which were laid on the table).

Electric generating plant at Dacca (Manipur) Farm.

138. Dr. KUMUD SANKAR RAY: (*a*) With reference to the reply given to starred question No. 19 on the 23rd February 1927, will the Hon'ble Minister in charge of the Department of Agriculture and Industries be pleased to state whether any estimate was taken of the cost of erecting electric generating plant at Manipur Farm at Dacca?

(*b*) If so, what is the amount?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state why no estimate was taken before the order for carrying the line from Dacca to Manipur was placed?

(*d*) Who is the proprietor of the firm that was asked to carry on the work?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): (*a*) Yes.

(*b*) An isolated plant to supply both the Dacca Central Farm and the proposed Agricultural Institute was estimated to cost Rs. 2,59,434 (not including cost of buildings for power house, workshop, quarters, etc.).

(*c*) The question does not arise.

(*d*) The Dacca Electric Supply Company. This is a limited company and its Managing Directors are Messrs. Octavius Steel and Company, Limited, of Calcutta.

Namasudra Boarding Hostel attached to Patuakhali Jubilee Institution.

139. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: Will the Hon'ble Minister in charge of the Department of Education be pleased to state—

(i) whether there is a Namasudra Boarding Hostel attached to Patuakhali Jubilee Institution;

(ii) whether a corrugated shed was constructed by the committee by contracting debt; and

(iii) whether the house is about to be sold for satisfaction of this debt?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. Byomkes Chakravarti): (i) Yes, but for want of Namasudra students, the Boarding House is vacant.

(ii) Yes.

(iii) Yes.

GOVERNMENT BUSINESS.

Demands for grants.

32.—Medical.

Maulvi MOHAMED SADEQUE: I beg to move that the demand of Rs. 15,65,200 under the head "32B—Hospitals and Dispensaries—Presidency Hospitals and Dispensaries" be reduced by Rs. 200 (page 170, Civil Estimate).

Sir, the total expenditure under the head "Hospitals and Dispensaries" both voted and non-voted is Rs. 24,32,000 and out of that Rs. 16,69,000 are spent for Presidency hospitals and dispensaries and only Rs. 3,10,000 are spent from the Transferred side for the entire Bengal and a paltry sum of Rs. 53,000 from the reserved side, which is realised from municipalities and district boards. It is curious, therefore, that not a single pie is spent from the Reserved side, and why should nothing be realised from the Calcutta Corporation? Out of Rs. 3,10,000 spent from the Transferred side you realise Rs. 1,23,000 from district boards and municipalities, but why the Calcutta Corporation is not regarded to maintain hospitals and dispensaries as are done by municipalities and district boards? Now, I do not object to your

spending lavishly for the dispensaries and hospitals in Calcutta, but what I object and resent is that you do not pay greater attention for the hospitals and dispensaries in the mufassal where the need is much greater and where the people also pay taxes and where there is greater necessity of hospitals and dispensaries for saving the people from malaria, kala-azar and other diseases, and still you do not spend a single cowrie there. I object to your making this invidious distinction between the people in Calcutta and those in the mufassal. I want to know from the Hon'ble Minister in charge whether he is prepared to pay greater attention for the uncared for people of Bengal where sympathy and help is indeed needed.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (MEDICAL) (the Hon'ble Mr. Byomkes Chakravarti): I can assure my friend that I shall deal with the question he has raised, and I hope I shall be able to satisfy him.

The motion of Maulvi Mohamed Sadeque was then, by leave of the Council, withdrawn.

2-45 P.M.

Babu NALINIRANJAN SARKER: Sir, I beg to move that the demand of Rs. 22,66,700 under head "32B.—Hospitals and Dispensaries" be reduced by Rs. 100 (page 169, Civil Estimate).

Sir, I move this in order to have an opportunity of discussing the policy of the Medical Department so far as it relates to hospitals and dispensaries and generally to the medical relief that is at present available to the rural population and that of the city of Calcutta. It is usual for Government to try to resist all our political and economic demands with the parrot cry of the interests of the masses in danger, but when we actually look into the medical administration in the rural and mufassal areas we find that the attitude of Government is one of utter callousness to the sufferings of the people.

The policy of the Government is to spend the greater part of the available monies on the city of Calcutta and even in the city the Presidency General Hospital where admissions are restricted to Europeans only takes a proportionately larger share. The disparity between the expenditure on the Presidency General Hospital and that on the Campbell Hospital is a key to the secret of the medical policy of Government. The city has the sum of Rs. 16,69,000 set apart for itself while all the rest of Bengal has to be content with less than a fourth part of this. In other words while a rupee and a half is spent per head of the population in Calcutta the rural population has to be contented with the magnificent grant of a couple of pies per head. I recognise that a part of the medical expenditure in Calcutta is intended to serve

the whole of Bengal as in the case of such instruments, apparatus or installations of which the whole province cannot afford to have more than one or two. But this cannot serve to explain away the whole position as it exists; and even after making all due allowances, it is impossible to shirk the conclusion that the medical needs of the rural population is a matter of no concern to the Government.

In 1923 the Presidency General Hospital maintained 235 beds. The daily average of indoor patients was 175·47 and that of outdoor patients 5·26 only. Of the total expenditure on the hospital in that year the Government contribution to each bed was about Rs. 1,300.

In the Campbell Hospital in 1923 there were 723 beds. The daily average of indoor patients was 418·22 and that of outdoor patients 132. Of the total expenditure the Government contribution was Rs. 390 only per bed. This is exclusive of the outdoor patients of whom this dispensary has to look after 25 times more than the Presidency General Hospital. How is it that while there is one nurse for 3·67 patients in the Campbell Hospital there is one for 2·22 patients only in the Presidency General Hospital? Medical officers, nurses, servants, diet, medicine, everything is on a lavish scale in the latter. It is a matter of common knowledge that Mr. J. Chaudhuri, by no means a native of the nigger variety, nor a politician of the fire-eating order, Mr. J. Chaudhuri of all people was refused admission into this hospital when he sought treatment for an urgent case of accidental food poisoning. And letters have appeared in the Press times without number accusing the authorities of a very despicable form of race hatred being carefully fostered in these institutions. All I say now is that the hospitals maintained by public funds should be thrown open to all without any distinction of race or colour.

A perusal of the Civil List leaves one with a most depressing feelings. In every institution all the top rungs are occupied by Europeans with no better qualifications than many of the Indians. In fact no measure of Indianisation has at all taken place. Prestige is proverbially blind. Else it were impossible to explain the retention of the present incumbent of the office of the Head of the Medical College Hospital. His one achievement is that of having risen to prominence by sheer inefficiency. He has an increasing share of the attention of the Press. I wonder why the claims of a qualified Indian has not yet been recognised for this post, of which this province has now plenty. It should be the aim of the Government hereafter to fill up these posts with Indians of standing and approved merit in the independent medical profession. It should also be made a condition of the grant that the hospitals should be open for admission in more adequate numbers to the men of the medical profession of repute as honorary visitors, physicians and surgeons. This will ultimately contribute to a gradual

decrease in the number of paid officers required. The combined supervision by officials and non-officials, the representatives of the Government and of the people, will be a potent means of stimulating honest and regular work in the hospitals and in the schools attached. It will also have to be made a condition precedent to the grant that facilities, so far as possible, should be given for the clinical training of students at such hospitals.

Though tuberculosis is taking its heavy toll of a lakh of lives every year, the Government has not yet thought fit to start an institution for the treatment of the victims of this fell disease. They have not even cared to help private institutions founded for this purpose though they have not been slow to recognise the necessity of a huge mental hospital for the treatment of about a thousand people suffering from dementia, or contributing here and there to institutions like the Eden Sanitarium, the Calcutta Hospital Nurses' Association and the like. I may inform the House, Sir, that my friend Dr. K. S. Ray, a member of this House and our Deputy Leader Dr. B. C. Roy have started an institution at Jadavpur within an area of six miles from the Government House. They are struggling under financial and other difficulties and I do not understand why the public revenue should not go to their assistance to make the institution successful and useful to the people.

Then as regards provision for medical help in the mufassal and rural areas a local dispensary has to serve on the average an area of 78 square miles and nearly 50,000 persons look up to a single dispensary for their medical relief. One can well imagine the sense of duty that a single practitioner attached to such a dispensary with the meagre remuneration that he gets, can bring to bear on his work. No wonder it happens so often that the whole locality is thrown on the mercies of an ill-schooled compounder; while the equipment of these dispensaries and hospitals in the matter of medicine and apparatus is indeed the last word in shabbiness. This is merely an apology for medical help, or the lack of it, as regards the rural population.

It is necessary that the district towns and rural areas should have better facilities than they enjoy at present. As a first step the hospitals in the district towns should be so extended and fully equipped that the people may not have to run to Calcutta even for an ordinary major operation to say nothing of minor diseases; and the local dispensaries which are at present controlled and financed by the district boards should have also some improvement in better equipment of medicine and other necessaries. For these purposes I would press that a sum of Rs. 25 lakhs be set apart from the surplus of about rupees 2 crores for the medical equipment of the district hospitals and the dispensaries in the rural areas.

A popular medical policy must recognise the value of the Ayurvedic and the Unani systems of medicine. As the Lee Commission wants to secure choice of treatment by men of the patient's own race, why should we not follow the same policy of securing the choice of medicine from our own indigenous drugs as far as possible. So it is necessary that a central college and hospital of indigenous medicine should be established which will carry on research work in these systems and at the same time offer treatment to the diseased. Instead of showing their interest in them by fits and starts the Government must take a definite step just as they have done in Madras by establishing a central Government College of indigenous medicine.

Lastly, the administration and management of hospitals receiving Government grants should be vested in a statutory governing body consisting of officials and non-officials, medical men, business-men and other representative people. Let me, Sir, take this opportunity of pointing out that this is eminently one of the fields of activity in which our ladies can render good service and women members should therefore also be added to such a body. There should be a majority of elected members in this committee. This committee should have statutory power to raise funds for improvement and control the expenditure and take all steps necessary for the extensions or improvement and conduct of the institutions.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Mr. President, Sir, I rise to support the cut made in the Medical Department grant; to me it appears that some sort of censure should be laid on the Department, not only for this sin of commission, but also for those of omission. It is true that we have a number of dispensaries in the province, but are they sufficient to the needs of the province? Bengal compares very lamentably with the medical work done in the West. From the little money which we have in hand for the maintenance of charitable dispensaries and hospitals it is surprising to find that about 90 per cent. goes to establishment, towards the pay of the medical officers, compounders and so on; and only 10 per cent. is set apart for medicines and other forms of medical relief. I have personally examined the budgets of the District Board of Murshidabad and the municipalities of that district, as also the budgets of local boards of other districts, and I was struck to find that in all cases the proportions of the amount spent under medical heads, were invariably the same as I have indicated. I did not think that this policy of spending only 10 per cent. for medicine is at all proper. If he place the highest authority, a great physician and surgeon with the meagre sum of 10 per cent. of the total amount of the expenditure for the purchase of medicines, he would not be much

benefited by his services. He would do no better than a mere apothecary placed in his stead. I appeal to the Hon'ble Minister to see that at least 25 per cent. of the total sum which we set apart for medical relief be spent on medicine, especially in the mufassal.

There is another matter I should also like to allude to. Training as a doctor under the western system of medicine is not an easy task; it is spread over a number of years and the cost is prohibitive in most cases. In our medical colleges and schools the students complain, and are often forced to leave, owing to lack of funds because of the cost involved and the many years they have to spend. In addition, it is well known that admission to medical institutions is strictly restrained, owing to the want of proper accommodation, all this goes to lessen the number of persons who eventually pass out as qualified physicians. As a matter of fact to get admission into a medical institution is often more difficult than to pass the examination itself. The seats being thus limited for students, we cannot expect a sufficient number of physicians to be turned out to meet the requirements of the people. I do not desire to introduce economy at the expense of efficiency. Our object is to give medical relief to the people as much as possible, no matter what system we adopt. We have other systems of medicine more congenial to the country and less expensive. I allude to the Ayurvedic and Unani systems, as systems of medicine, these are at present decried, because, forsooth, a few Englishmen do not believe in them never mind what we, Indians, may hold as our belief. I imagine the Hon'ble Member is not one in this category of blissfully ignorant people. He, I understand, is a great admirer of other systems of medicine also. The work of our kavirajes is pooh-poohed, though the present allopaths are prescribing and using very frequently Kaviraji medicines. From my own personal experience I have found some eminent allopaths speaking highly of Makaradhaja, a well-known indigenous medicine. Yet in the face of these things the veriest tyro of an apothecary of the West has his prescriptions honoured and his nostrums swallowd by a set of credulous people, who think they are getting better, until it is too late to think at all. At the present time Homœopathy in America and Germany has supplanted the worn-out and effete system of Allopathy. I would then urge upon the Government the necessity of subsisting the Ayurvedic colleges here and chiefly the one which the late Kaviraj Jamini Bhushan Roy gave his very life to establish. I appeal to the Hon'ble Minister to encourage these indigenous systems of medicine, by establishing a few dispensaries even though it be as an experimental measure.

Take also the case of training of our *dais*. In the villages they are allowed to go about, without any proper training, beyond what they get from their old grandmothers. The result is that they toy with human life and the colossal loss of child-life in Bengal is being more and more borne upon us. We may have our Baby Weeks to serve as

periodic reminders, to stir us from our state of lethargy, but we soon go to sleep again. Every effort should be made by the Government to have a series of lectures given to these people, who dabble, at present, in human life with as much sense of responsibility as some of us dabble in politics. Most of our charitable dispensaries could with profit set apart some time and space for this useful work and the Government could well arrange a series of lectures to be given at such centres. I know that Dr. Bamandas Mukherjee has started to train *dais*, in his native village at Murshidabad and the result is most satisfactory. His work is worthy of emulation. If the Government is in right earnest about it, things will be readily done; as for me I cannot think of a better nation-building department than this which seeks to build the nation, by protecting it from the scourges that are now enervating and emasculating it to a state of inefficiency and helplessness.

I emphasise the needs of the department, which call for immediate attention.

3 P.M.

Rai HARENDRANATH CHAUDHURI: I rise to support the motion that has been moved by my friend Babu Naliniranjan Sarker. In doing so I desire to invite the attention of the Council to the Medical budget for the coming year. It will be seen on referring to page 63 of the Financial Statement that the provision for hospitals and dispensaries in the coming year comes up to Rs. 24,32,000; whereas the provision for hospitals and dispensaries for the current year, that is, 1926-27, was Rs. 26,49,000; that is, Rs. 2 lakhs less has been provided for the coming year. Whether this has been done as a response in anticipation of the co-operation to be received from the Hon'ble Minister in charge of the Department or not, I do not know, but the fact stands that less provision has been made for hospitals and dispensaries so far as the coming year is concerned.

Now, Sir, the next thing to which I desire to draw the attention of the Council is the position of Bengal so far as the State hospitals and dispensaries are concerned. It will be seen on a reference to statistics that in Madras there are 47 State or public hospitals and dispensaries; in Bombay no less than 46 but so far as Bengal is concerned, there are only 19. Whether this is an enviable position for Bengal or not I leave it to the members to say. Whether simply the band and the bodyguards alone can maintain the status of Bengal as the premier province of India or not, I also leave that to the members of the Council to decide.

In this connection I would also like to point out what contribution is made by the people towards the maintenance of the hospitals and dispensaries in this province. Again, it will be seen on referring to the Statistics that so far as the year 1924 is concerned the income from

local and municipal funds for hospitals was Rs. 13,50,000 and the income from Government contribution was Rs. 2,68,000 only. It will thus be seen that the people of Bengal contribute at least five or six times more towards the maintenance of hospitals and dispensaries than the Government. But what is the proportion so far as the other provinces are concerned? In Bombay the income from Government funds is Rs. 14,39,000 and what is the income from local and municipal funds? Only Rs. 10,89,000. Thus the Government of Bombay provide more towards the hospitals and dispensaries than the people of Bombay. Take the case of Madras. There also the income from Government funds towards this end is Rs. 15,34,000 whereas the income from local and municipal funds is only Rs. 20,13,000. That is, the income from Government funds is almost 75 per cent. of the income from the local and municipal funds. But as I have pointed out before, in Bengal the position is altogether reversed. Here the Government contribute only one-fifth or one-sixth of the total income of hospitals and dispensaries. After placing these figures for the consideration of the Council I resume my seat.

The motion of Babu Naliniranjan Sarker was then put and lost.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,70,000 under the head '32C.—Grants for Medical Purposes' be reduced by Rs. 100 (page 173, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: I beg to move that the demand of Rs. 45,87,000 under the head "32.—Medical" be reduced by Re. 1 (page 163, Civil Estimate).

In moving this motion I am actuated by the desire to get certain information from Government. In the first place I want to know what effect the Government is going to give to the recommendation of the Lee Commission so far as the Medical Service is concerned. It will be in the recollection of many of us that the Lee Commission recommended that altogether a new service—Civil Medical Service—should be instituted. They further recommended that the Indian Medical Service should be gradually absorbed in the Royal Army Medical Corps, but on referring to the Civil List I find that the strength of the Indian Medical Service is almost the same as it was when the Lee Commission's Report saw the light of day. Not only, that, Sir, I also find that the cadre of the Indian Medical Service has been further strengthened. I therefore want to know what effect, if any, is going to be given to the recommendation of the Lee Commission that there should be a Civil Medical Service for the province? I suggest that it should be instituted as soon as possible.

SECRETARY to GOVERNMENT, LOCAL SELF-GOVERNMENT DEPARTMENT (Mr. J. C. Drummond): In reply to the question of Rai Harendranath Chaudhuri I may say that no decision has yet been reached on the subject as this Government is still awaiting the orders of the Secretary of State. It is a very difficult and complicated question and it is still under examination.

Dr. KUMUD SANKAR RAY: May I speak on this motion?

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): I am sorry I cannot allow you to do so as the debate is supposed to be closed after Government reply.

Dr. BIDHAN CHANDRA ROY: Is not the hon'ble member entitled to speak on this motion, Sir?

Mr. PRESIDENT: Not unless there are exceptional reasons. Government must have the last say and Mr. Drummond was authorised by the Hon'ble Minister to speak on behalf of Government.

The motion of Rai Harendranath Chaudhuri was then put and lost.

The motion that a sum of Rs. 45,87,000 be granted for expenditure under the head "32.—Medical" was then put and agreed to.

33.—Public Health.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Mr. Byomkes Chakravarti): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 32,67,000 be granted for expenditure under the head "33.—Public Health" (page 180, Civil Estimate).

In connection with this matter I want to state to this House that about three years ago a recurring grant of Rs. 3 lakhs was made for 5 years. No advantage was taken of that because the scheme which was required had not been completed. When I assumed office I found that the grant for the year 1926-27 would also lapse. Upon that I spoke to the Health Officer, also to the Director of Public Health and to the Finance Department with the result that we were able to frame a scheme which would apply to the whole of Bengal necessitating an outlay of about Rs. 12 lakhs from the funds of Government to be supplemented by Rs. 6 lakhs which is provided by the district boards. The plan is shortly this: that the prevention of cholera, small-pox, kala-azar and malaria and other diseases which, if neglected, would assume an epidemic character should be at once attended to. The main idea is to divide the whole of the country into units on the

system of thanas. There are roughly speaking about 650 thanas in this province and we shall require for the purpose of working out this plan 600 medical officers—assistant surgeons. In addition we should require medicines, disinfectants and so on. I cannot go into the details of this scheme but any hon'ble member of this House who desires to study more accurately and in detail the plans of Government he will be welcome. The working out of this scheme must necessarily require a certain amount of time. We have made enquiries and we find that we can get those 600 doctors, one in charge of each thana, but however, as it has been delayed, we thought, therefore, that a beginning ought to be made and a beginning will be made at once, and, as the materials are available, the whole scheme will be given effect to for affording medical relief which has been long overdue.

3-15 P.M.

Maulvi SYED MAQBUL HUSAIN: Sir, I beg to move that the demand of Rs. 1,39,440 under the head "33A.—Public Health Establishment—Pay of Assitant Directors of Public Health and other Gazetted Officers" be refused (page 183, Civil Estimate).

Sir, in moving this motion my object is not obstruction or any scathing criticism but active and wholehearted co-operation with the department, that is, by means of the saving which would be effected by the refusal of the pay of these Assistant Directors of Public Health and other Gazetted Officers more funds can be allotted for the purposes of public health. Now, Sir, these officers—the Assistant Directors of Public Health and other Gazetted Officers—are merely advisory officers; they have no executive functions. At present, I think the members of the House know, there is a health officer in every district board and municipality, and also a sanitary inspector, and the public health work of the district is carried on by them. Now, the function of these Assistant Directors of Public Health is that during the course of a year they once visit a district board or a municipal area, and sometimes they consult the chairman of the district board or the municipality, and with that their activity ceases. I submit that for this purpose so many Assistant Directors of Public Health and other Gazetted Officers are not at all necessary. It appears that before 1923 there were three Assistant Directors, but since that year the number of Assistant Directors has been increased to seven and that of the other Gazetted Officers to eight. Now, the functions of these officers, I submit, are not clearly known. It sometimes appears that some letters or circulars from the office of the Director of Public Health are issued under the signature—or over the signature—of these officers. My submission is that since there are district health officers and municipal health officers in all the districts, this money which has been allotted for the pay of these officers can be easily spared and used for the

purpose of public health. Further, the work of these district and municipal health officers are supervised by the chairman and the vice-chairman, and other officers, as well as by the members of those bodies, and that is quite sufficient. For the purpose of simply giving advice so many officers are not necessary, and I think I am supported in this contention of mine by the Report of the Bengal Retrenchment Committee. I find that next year no allotment has been made for the purpose of providing anti-cholera vaccine. During the current year Rs. 15,000 has been allotted and for the next year, *i.e.*, 1927-28, there is to be no allotment. For the purchase and distribution of disinfectants and anti-cholera vaccine Rs. 20,000 was allotted for the current year, while for the next year, 1927-28, nothing has been provided. Now, my submission is that instead of maintaining so many Assistant Directors of Public Health and Gazetted Officers, *viz.*, 7 and 8, we should reduce their number to the minimum and utilise their pay for the purpose of augmenting the funds for public health work. In 1923, the Bengal Retrenchment Committee reported:

"As regards its general activities we have been informed that no great benefit is discernible in the districts, and that in ordinary matters of public health, the health officers employed by district boards, the Civil Surgeons, and non-technical local officers of common-sense can accomplish all that the available funds will permit. In a purely advisory department we consider that there is no need for maintaining a local staff of assistant directors. These officers, of whom there are four, inspect municipalities and assist local bodies in combating disease. They have no part in the preparation of water-supply or sewerage schemes, and they have no executive functions. They make simple and general observations on the sanitary conditions of municipalities, which for the most part, we believe, are not beyond the powers of the local non-technical inspecting officers to make. Where a technical point of difficulty arises it could be dealt with by an officer deputed *ad hoc* by the Director. As regards epidemics the proper function of the department is to advise as to their prevention and treatment, but the executive action based on such advice must rest with the local authorities. The Public Health Department, moreover, is not concerned with the treatment of individual cases of disease resulting from an epidemic, nor should it be responsible for the provision of medical officers for epidemic work. We accept the evidence that the local assistant directors can quite safely be dispensed with, and we recommend that their posts be abolished."

This Report was submitted in January, 1923, and I submit that no action has been taken upon this recommendation. In fact, it appears that these officers are maintained with little benefit to the country. If the money which is spent on these officers be utilised for augmenting the funds of the district boards and the municipalities,

then I believe much good would be done to the public. Sir, with these words I move this motion for the acceptance of the House.

Babu SURENDRA NATH BISWAS: Mr. President, Sir, I thought that I should not speak on this motion, but now I think that I should be failing in my duty if I do not say something about health officers. Sir, as member of a district board, I may say from experience that many district boards do not require the services of such health officers. Sir, before the non-co-operation period I was a member of the district board for five years, and during those five years we passed resolutions in the district board refusing to have health officers, but the Government of the time threatened us with the abolition of the district board and thrust upon us health officers.

Sir, the services of a health officer for a district like Faridpur are not required, because we find that his duties are very simple which do not require such a fat-salaried man to perform. Sir, the only thing that we find him doing at present is to go round the villages at the time of cholera epidemics and tell people that they should drink boiled water. Sir, it does not require a health officer of Rs. 400 or Rs. 500 to go round the villages and ask the people to drink boiled water. But there is no water for drinking, and yet the health officer goes on asking the people to drink boiled water. Sir, foul water even by boiling does not become good. We require good drinking water and if we get it cholera will vanish in no time, and there will be no necessity for the health officer to go round the villages instructing the people to drink boiled water. So, Sir, instead of spending money over these white elephants, I would request the Hon'ble Minister in charge to make enquiries whether the districts really need the services of these health officers. I do not grudge the services of these health officers to those districts which really need them. But I submit that there are many district boards—I can cite at least one example, that of Faridpur—which do not require the services of a health officer. The district board may, with the approval of Government, employ ordinary doctors during epidemics, and they can tour in the villages for the purpose of treating diseased patients. This is a thing for which I appeal to the Hon'ble Minister in charge to take action on the lines I have suggested.

With these words, Sir, I beg to support the motion.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I have to differ from my friend the mover of the motion as regards the utility of the health officer in the districts and the need of supervision over them by experts. I remember the Hon'ble Mr. Chakravarti himself protesting against the appointment of a health officer at a time when I was merely a visitor in this House. I was also of opinion that the

health officers were more or less useless, but being in office I have come round to the view that there is great scope for the work of health officers in the present circumstances of the country. Sir, if you remember the present duties entrusted to them in Bengal, you will find that as a matter of fact they are entrusted with the duty of combating diseases like malaria, kala-azar, small-pox, cholera, etc. I have just come back from my district and I found there had been certain epidemic diseases such as cholera and small-pox. I know this from my own experience.

Sir, it is impossible to deal in such matters adequately without the health officer and in the matter of supervising and co-ordinating the different activities of the department. I do not say that the health officers are fully doing their duties at the present moment, but I do say that given proper scope and facilities they can effect a lot of improvement in the public health of the villages. I would only inform my friend the mover of the motion that through the health officer and the sanitary inspector we are examining the scheme of a touring exhibition in our district which is expected to bring about a little more knowledge of sanitation and hygiene in the villages. But the question of finance stands in the way of our giving effect to the scheme. When an epidemic occurs, the health officer is there to look after the sending of doctors and to see whether the doctors are doing their work properly. Moreover, the present régime of non-official chairman, and vice-chairman, requires that so far as public health, sanitation and hygiene are concerned there should be a sort of inspecting staff as technical advisers to the board in these matters. In these circumstances, although I myself was at the beginning against the entertainment of health officers, I think that it is not the proper time now to consider whether they should be abolished, far less any supervision over them. On the other hand, I think that greater efforts should be directed towards utilising them fully so that more work

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could be got out of them. I still believe that they will be able to do more work for us, specially hygiene and in matters of inspection. Probably the hon'ble members will remember that kala-azar and anti-malarial centres have been opened with subsidies of Government and district board grants. There is absolutely nobody to inspect these kala-azar and anti-malarial centres unless the health officers do it. There are Civil Surgeons I know but it is difficult for them on account of the multifarious duties they have to perform to do this work. Just now we were considering as to how far it is possible to give a little more power and responsibility to the health officers to utilise their services fully in this work. Sir, I do not agree with the mover of this motion that inspection work over these health officers are not needed.

I am also connected with one of the district boards and I hold quite the opposite view.

Khan Sahib Maulvi ABDUS SATTAR: I fully agree with Khan Bahadur Azizul Haque and am not in a position to support my friend who has moved his motion for this simple reason that, as Khan Bahadur has told us, although with regard to the appointment of many of these health officers in the beginning we looked with suspicion that they would be of no use to us, that they would be as so many white elephants but gradually as they have been working we find that they are doing really good work and for this particular staff of people my friend the mover should not have taken any objection. Although the Retrenchment Committee recommended their abolition it was so far back as in 1923, but since then their usefulness have been proved and if these posts are abolished now it is not known where these officers will go or what they will do. Therefore my submission is that as this department is under the control of a Minister, we can go up to him. Let us do this and make suggestions with regard to this department, let us, if we can, minimise the number of diseases. It is no use this House moving a cut and removing these people. It is therefore difficult for us to support this motion, and I oppose it.

Dr. BIDHAN CHANDRA ROY: Sir, I want to know whether in this motion we are discussing the pay of public health officers or the health officers appointed by the different district boards in general. I believe there is a very restricted outlook in this motion.

Mr. JOGESH CHANDRA GUPTA: As I read this motion I think the grant includes the pay of the Assistant Directors of Public Health and other gazetted officers. The district board health officers are partly Government officers and partly district board officers because half of their pay is contributed by Government and the other half is borne by the district board.

Maulvi SYED MAQBUL HUSAIN: This motion refers to the pay of Assistant Directors of Public Health and other gazetted officers. There is another item in which the health officers who are partly paid by Government and partly by the district board are shown.

SECRETARY to GOVERNMENT, FINANCE DEPARTMENT (Mr. J. A. Woodhead): May I explain the position, Sir. This motion only refers to the pay of the Assistant Director of Public Health and other gazetted officers. District health officers of district boards are printed under another item—Contributions to the pay of health officers. The motion moved has therefore no reference to district board district health officers.

Mr. PRESIDENT: I think the issue involved in the motion is now clear.

Mr. JOGESH CHANDRA GUPTA: Sir, it is in regard to the Assistant Directors of Public Health that I want to say a few words. It pains me to find that criticisms are directed towards these officers as being useless and unnecessary. There is a great confusion in this criticism. These gentlemen are not unnecessary or useless but because there is no scheme to work upon, because the Government is for the last three years or more undecided as to what steps they should take for public health, while 4,000 souls are dying daily in Bengal that these officers are not proving necessary nor useful. I further note that these officers are still now regarded as temporary officers, they are not being made permanent so there is some force in the criticism that they are useless and unnecessary though at the same time they would be useful and necessary if there is some work to do and if the Government will make up its mind to do something towards the public health which really will benefit the public.

I think that is what I have got to say.

The motion of Maulvi Syed Maqbul Husain was then put and lost.

Srijut TARAKNATH MUKERJEA: I move that the demand of Rs. 7,26,000 under the head "33A—Public Health Establishment" be reduced by Re. 1 (page 181, Civil Estimate).

Sir, the object of this motion is to protest against the way in which this most important department a department whose activities most vitally affect the future welfare and progress of the people of this province is being administered.

The total grant under this head is Rs. 32,67,000 out of which Rs. 7,26,000 is devoted to establishment charges. This means that the establishment charges alone amount to about 22 per cent. of the entire grant.

I do not propose to take up the time of the House by discussing in detail the different grants under this head. I will leave it to this House to consider that in a province where, according to official estimates, on an average, deaths of so many as 1,500 persons occur every day from malaria alone, in addition to the deaths that are due to cholera, small-pox, kala-azar and such other preventable diseases, the sum of Rs. 80,000 has been provided for anti-malarial measures in rural areas. One fails to understand what effective intensive anti-malarial campaign is possible in the vast rural areas of this province with this magnificent sum through the agencies of medical officers and village workers.

A sum of only Rs. 2,50,000 has been provided as grants to local bodies for improvement of rural water-supply in a province where the problem of rural water-supply is daily becoming more and more acute. The estimated grant for this purpose in 1926-27 was Rs. 2,84,000 and we find that the revised estimate for the same year rose to Rs. 3,07,000. There can be absolutely no justification for the reduction that has been effected in the budgeted grant for the purpose. Pure drinking water is the most crying need of the people living in villages and you can touch only the fringe of this problem with this amount when you take into consideration the fact that we have over 80,000 villages in Bengal.

A sum of Rs. 3,00,000 has been provided for Public Health organization in the districts of the province. An explanation is due to this House why out of Rs. 3,00,000 granted for this purpose only Rs. 1,00,000 could be spent during 1926-27.

A sum of Rs. 1,90,000 has been provided to carry on a vigorous anti-kala-azar campaign in the different parts of the province in place of Rs. 2,00,500 budgeted last year. The reduction in the amount of the grant for anti-kala-azar campaign is indefensible.

I move this motion to place on record our most emphatic protest against the actions of the Government for providing such quite inadequate and insufficient funds for such works of vital importance resulting in the alarming increase of our sickness and poverty and consequent national degeneration.

Kazi EMDADUL HOQUE: Sir, in view of malaria and other diseases that have been in existence here for a number of years the most needed thing at the present moment is the establishment of rural health societies throughout the whole country. But for this purpose Government has got no money. A year ago the Government issued a circular stating that if the local people would want the establishment of health societies and contribute a certain amount of money towards it, then the Government would be prepared to pay double the amount raised. That was a great incentive no doubt, and the people began to establish village health societies in the districts. But no sooner these societies had been established than the Government made a limitation upon its grant. Government then said that they would pay only Rs. 100 as the maximum sum. So it will be seen that a limitation has been put upon the Government grant.

Sir, it is of vital importance that health societies should be established throughout the province. But for this Government pays very little money. Government has not got any interest in our health. If the Government maintains this department it is maintaining it not for us but for the white people who are inhabiting this

country. Our European friends here and those of their calibre think that we swarajists are out to hurl our invectives and vituperations in season and out of season and they see no reason why we should not co-operate with them. I submit that in this matter we are not at fault. If any change in our mentality has been wrought it has been wrought by your Government and by those magnificent potentates who are the props and supports of Government. We swarajists are not constitutionally disloyal.

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We swarajists are not disloyal constitutionally, but you have created that provocative instinct in us. You had seen for yourselves how the sacred memory of Queen Victoria has been enshrined in our recollections. Even now we are generous, and we give you a warning that you have come to the brink of the precipice. If you take heed and mend matters and avoid going on in this fashion it is well. If you do not your fall is inevitable and not only the people of Bengal, but the people of the whole of India will seriously think whether they should not subscribe themselves to the swarajya creed and become swarajists in principle.

The motion of Srijut Taraknath Mukerjea was then put and lost.

Babu NALINIRANJAN SARKER: I beg to move that the demand of Rs. 20,49,000 under the head "33.—Public Health—Grants for Public Health purposes" be reduced by Rs. 100 (page 180, Civil Estimate).

My object, Sir, in making this motion is to draw the attention of the House to the supineness of Government in regard to this vital question of public health.

So far the Government have maintained an attitude of apathy which is hard to distinguish from hostility regarding questions of public health. What interest they have taken by fits and starts has resulted in the grant of small sums which could not even be spent for want of proper schemes.

I have only to quote a few figures to enlighten the House about the alarming state of our public health. The normal test of the health and vitality of a people are the birth and death rates, the infantile mortality and the expectation of life. The average death rate in Bengal for the three decennial periods starting from 1894 stands at 32·7, 31·5 and 30·6 per mille respectively, and the percentage has shewn a decline only of 0·4 during a period of 30 years. At this rate it will take more than two centuries to approach the rate of England and Wales. In fact our death-rate is the highest in the world. In 1923 which was characterised as a "singularly healthy year" no less than 34·6 per cent. of the total deaths occurred among

the children under the age of 5 years. Out of 1,000 children under one year of age 132 succumb to an untimely end and of the others less than 50 per cent. of the children born ever reach the age of 10. These figures are a significant commentary on the claim of the British Government that India is materially progressing.

If the waste of children is sad, the shortage of human life is appalling, so much so, that longevity is practically unknown; for the figure of the average expectation of life for Bengal now stands at 21 years as against 63·8 in England where the figure was steadily raised from the low level of 34·6—an achievement which English sanitation may ever be proud of. On the other hand, but little is gained in this country from the high birth rate of 29·9, in itself an index of the poverty and low vitality of our people. It is a well-accepted scientific fact that both the birth-rate and the death-rate fall *pari passu* with the increase in the standard of living and the physical well-being of the people. If this country is to have any future then it is of the utmost importance that we should do something to restore the balance between rate of births and infantile and general mortality. The life and health of the children which, as a British statesman once said, are the best assets of a nation, depend upon the condition of living of their parents, their food, clothing, housing and habits of life. You cannot, therefore, improve their health so long as they are brought up in dirt and destitution. The sanitary conscience will have to be aroused in the minds of the people and the necessity of raising the standard of living must be widely recognised and worked for.

As for the general mortality two-thirds of the deaths are caused by preventable diseases many of which have either been completely eliminated in more advanced countries or have undergone a great reduction. The same policy of carrying on somehow has been pursued in this case, and some tardy steps have recently been taken in the way of preventive measures, but hardly anything has really been accomplished as yet.

The failure is due to the lack both of a clear policy of public health reform, and of the necessary machinery to grapple with the problem boldly. We are glad to be told that the policy of the late Mr. Das's scheme has at last been adopted, and a provision of rupees three lakhs has been made to give effect to that scheme which will entail a recurring expenditure of about Rs. 12 lakhs per year. Let me point out to the members, however, that the central idea of Mr. Das's scheme is that a statutory board of trustees is to be created with power to them to spend moneys in such manner as they think necessary in the interests of the people. We have not been favoured with the details of the scheme and we hope before the

scheme is actually put into operation the same will be published for public criticism, so that at least we may be certain that this is not a mere empty bid for popular favour, but has something real behind it.

Devised after careful consideration a well-conceived scheme of public health organisation in Bengal can be made to look as attractive as the best commercial proposition. Specialists in this sphere have already made a rough estimate of the material loss that our country has sustained by allowing epidemics to ravage the country unchecked. "It is calculated that the direct annual cost of sickness and death resulting from malaria in India is between 50 and 60 million pounds sterling and this, be it noted, is but the direct loss taking no account of the even greater indirect losses due to the resultant impaired productive power of labour."

Now, Sir, it is not enough to make more or less futile attempts to give effect to the recommendations of Dr. Bentley on the basis of Mr. Das's scheme.

I would further press the necessity of having a Public Health Act of Bengal to remove the chaotic state of the public health administration in Bengal. A Central Board of Public Health should be created and all the powers and responsibilities in connection with public health exercised by any particular department or sub-department of the Government, should be transferred to this Board. The organisation, direction and final control of all public health matters should be vested in them. The actual execution of the scheme should be vested in the local sanitary authorities contemplated in Mr. Das's scheme. A separate fund should be created for public health purposes to be administered by the Central Board, the Government contribution towards which may be supplemented by private donations and receipts from other sources. I definitely propose that at least Rs. 30 lakhs out of the available surplus of Rs. 2 crores be put in for this purpose. Given the requisite funds and the proper machinery what task would be more glorious than the mission of Public Health where there are millions to be reclaimed from dirt, disease and death? Every work has to be begun from the beginning for no spade-work has been done. Schemes of maternity and child welfare, training of nurses, and midwives, propagation of the rudimentary knowledge of hygiene, improvement of housing in urban areas, prevention of epidemic diseases, the improvement of rural water and milk supply, initiation of institutional treatment, insurance schemes for unemployment, sickness and old age it were idle to try to catalogue the various requirements that are lacking in this country.

I now want, Sir, to say a few words on the policy regarding grants for public health purposes as is now in vogue. The grant for public

health purposes is quite insignificant. Besides, the allotments include items such as augmentation grants to certain district boards, etc., which do not properly pertain to the public health but have been set down to make up an attractive array of figures.

I, therefore, recommend that the Government should, to begin with, concentrate its attention on the water question as a whole, in order to improve, conserve and stop the wastage of natural sources of supply by launching of bold schemes of irrigation and canalisation by raising of loans; leaving the responsibility of supplying drinking water to be solved by local enterprise and restricting its direct financial help only to extremely deserving cases where there is a dearth of such enterprise. The Government's duty in this direction as I view it should be on the lines of removing legal and other obstacles in the way of the village people excavating tanks for themselves, in taking the initiative to get wealthy men to help the poor people in this regard, and confine their direct help to making it possible for the villagers to acquire tube-wells or other mechanical devices, that may be found suitable at cheap rates or on some hire-purchase system. Similar also should be the attitude of the Government in financing schemes of town water-supply. The capital expenditure for initiating schemes of water works in municipal areas should wholly be made by the municipalities concerned, the Government's responsibility being limited to helping them with loans, giving assistance in technical matters, advising the local authorities on modern methods of sanitation, and assisting them to acquire the necessary appliances at moderate rates. Sir, with these few words, I resume my seat?

Sir PROVASH CHUNDER MITTER: I congratulate the mover of this resolution on the facts and figures that he has placed before the House. It is a question of vital importance to the people of this province, and my complaint is against the Government and not against the Hon'ble Minister who is responsible for Public Health. My complaint against Government is that far too little money is provided for this vital question, but it will not be fair on my part to overlook the important announcement recently made by the Hon'ble Mr. Donald on this question. We have in our closing balance a large sum of money. Although recurring expenditure may not be available to us, I venture to think that it will be possible to do a good deal of good to the people of this province if we are united in our action for doing good to the people. I am sure, Sir, that so far as the rank and file of my swarajist friends opposite are concerned, they are anxious to serve the country. Although they may differ from us in politics, I am sure their united and concerted action will not be denied to us; and I am sure also that amongst those who have been elected by the swarajist

section of the people to offices in the party will not deny their support, because they stand on their title as leaders of the party. I am sure, Sir, that if Mr. B. N. Sasmal were in this House, he would not have denied us his help in the solution of this problem. I would, however, appeal to other aspirants of leadership to title to sink all their personal differences and personal ambitions. I would make a special appeal to my friend Dr. Bidhan Chandra Roy.

Dr. BIDHAN CHANDRA ROY: On a point of personal explanation, Sir. I am not seeking for any office in the swarajya party.

4 P.M.

Sir PROVASH CHUNDER MITTER: I did not say that. I said he was a seeker for leadership.

Dr. BIDHAN CHANDRA ROY: I am not

Sir PROVASH CHUNDER MITTER: All the same he is one of the "Big Five", and I make a special appeal to Dr. Bidhan Chandra Roy to direct his attention more profitably to a subject which he has a right to understand and less to aspiring to leadership and then I am sure the people will be far better benefited. Sir, the glamour of leadership is very great but it is difficult to .....

Dr. BIDHAN CHANDRA ROY: May I appeal to Sir Provash Chunder Mitter not to give us any advice, but to give us some constructive criticisms on public health.

Sir PROVASH CHUNDER MITTER: I find, Sir, that whatever I say causes discomfort to some of my friends opposite or at least to those who are aspirants to leadership. But I would like to say this, Sir, that if an eminent doctor like Dr. B. C. Roy would pay more attention to matters which he understands and would pay less attention to political matters in which he is a mere infant—his life in politics being only of 4 years' duration—and if his advent to politics was not marked by an ungrateful act of hounding out from public life the maker of modern India—I mean Sir Surendra Nath Bannerjea.....

Rai HARENDRANATH CHAUDHURI: On a point of order. Is the speaker in order?

Sir PROVASH CHUNDER MITTER: I appeal to the President to hear my submission on the point before he gives his ruling. Even a criminal has a right to be heard.

I am asking for united action by which our object can be achieved, and I maintain that what I am saying is relevant to the question now before the House.

Rai HARENDRANATH CHAUDHURI: May I speak on this motion?

Mr. PRESIDENT: I do not think Sir Provash has finished with his speech yet.

Rai HARENDRANATH CHAUDHURI: On a point of order, Sir.

Mr. PRESIDENT: What is your point of order, please?

Rai HARENDRANATH CHAUDHURI: I submit, Sir, that Sir Provash Chunder Mitter is digressing from the point before us. We are discussing a motion regarding public health. Sir Provash has so far said nothing up till now relevant to the subject. On the contrary he has vilified some members on this side of the House and he has characterised Dr. Roy's conduct in standing for election against Sir Surendra Nath Banerjea as base and ungrateful. Is he in order in making such remarks and is he confining himself to the motion now before the House? That is my point of order.

Mr. PRESIDENT: I think, Sir provash has actually digressed from the subject under discussion and I think that, when so much resentment has been voiced from the other side of the House, Sir Provash had better cease to give them the benefit of his advice, however wise. He should confine himself to the motion now before the House.

Sir PROVASH CHANDER MITTER: I will confine myself to the motion and I will not give any advice, because good advice is sometimes very unpalatable. But I do say, Sir, confining myself to the motion, that if Sir Surendra Nath Banerjea were allowed to remain Minister for Public Health and if he had not been hounded out of public life by Dr. B. C. Roy, the state of public health in this province would have been very different. And I also do say this that if Sir Surendra Nath Banerjea had received the support which he had every right to receive from all honest men, then I say that the public health of Bengal would have advanced during these four years, and I feel that if ungrateful people like Dr. B. C. Roy and his companions.....

Mr. PRESIDENT: I think you should not speak in that strain. (Cries of "Withdraw that remark".)

Sir PROVASH CHUNDER MITTER: I do say this, Sir, that if Sir Surendra Nath had been Minister for Public Health the province would have advanced a good deal and I say that the name of Dr. Bidhan Chandra Roy, who is responsible for removing him from office, will be writ large by the future historians of the province and even a Rowlatt Mitter will not be able to emulate his fame or notoriety. However, Sir, I am not permitted to refer to questions like that. But, Sir, if we ask for united action we have every right to demand united action from all—from the leaders of the swarajist party and from those pseudo leaders who are clamouring for leadership. One of the "Big Five" is Mr. Sarat Chandra Bose. (A VOICE: Your nephew.) He is also a claimant for leadership and he has certainly influence over a section of the swarajist group. If he had devoted his undoubted abilities not for creating a position for himself amongst the swarajist party.....

Mr. PRESIDENT: I am afraid, Sir Provash, you are again referring to personal matters. I think it will be much more profitable if you will give your advice to the department in particular and to the House in general with regard to the subject which is under discussion, instead of casting reflections on individuals.

Sir PROVASH CHUNDER MITTER: I must bow to your ruling, but may I point out, Sir, that this was allowed yesterday. Now, Sir, I say that if the pseudo leaders of the swaraj party would not lead their people astray, then there would be less difficulty about united or concerted action. It is not a question of money alone but is more a question of men than that of money. It is a question of creating a feeling in the country and of rousing the public consciousness in the matter of the health of the nation. Sir, if to-day 71 per cent. of the people of Bengal barring infantile mortality die before they are 30, if 85 per cent. of the people barring infantile mortality die before they are 40 and if 93 per cent. of the people barring infantile mortality die before they are 50—and we all know for one that dies how many more suffer—and if that is the state of public health in Bengal, it must bring tears to the eyes of all honest men to see that we are wasting our time in mutual abuses and recriminations and in communal fights instead of putting our hands to the plough. It is not a question of mere money, but it is a question of self-help. Do not talk of slave mentality. If you feel like free men, act like free men and sink your differences. If you feel for the poor, work for them, never mind whether a particular individual is a Hindu or a Muhammadan, a swarajist or a non-swarajist. That is why I plead for united action. Now, Sir, it is for united action, it is for concerted action that I appeal to all to sink our differences. If we all unite and put forward our best and united demand, then, I am sure we can force the Minister and even

Mr. Donald to come to our rescue. I hope my suggestions will be taken in the spirit in which I have offered them. I wanted to say things which in fairness I thought I could, but I was not allowed to do so.

Dr. KUMUD SANKAR RAY: Kindly vote with us in this matter.

Sir PROVASH CHUNDER MITTER: The remark of Dr. Kumud Sankar Ray shows that he is a mere child, an absolute novice in politics. I will not vote for you because the object of a token cut is to draw the attention of Government and not to actually reduce the grant. I will not vote for you for another reason and that is the Hon'ble Minister is not responsible for this budget. The whole object of Dr. Kumud Sankar Ray is to place the Minister in a position of difficulty and not to get any work done by him and that is an additional reason why I will not vote with him.

Mr. JOGESH CHANDRA GUPTA: We, on this side of the House, have been wondering as to what could be the reason of this exercise of lungs of Sir Provash Chunder Mitter. The motion before the House—the matter for consideration—is public health organisation. Sir Provash is certainly entitled to ask for united action, but what is the occasion for this outburst when he knows that, from the very first moment, the distinguished patriot who laid down his life in the service of the country put before the Government a scheme of district public health organisation which has not been acted upon nor any step has been taken on it, knowing that fully well we cannot understand why Sir Provash was.....

Sir PROVASH CHUNDER MITTER: Sir, I want a ruling: you were very strict about my referring to personal matters and I hope you will be equally strict now.

Mr. PRESIDENT: Yes, if he refers to you, and not to your speech. You have risen in protest perhaps too early.

Sir PROVASH CHUNDER MITTER: I would only draw your attention to the fact, Sir, that it was not done yesterday.

Mr. JOGESH CHANDRA GUPTA: I would only ask the last speaker, because I will not utter his name, as he does not desire it—I will only ask the last speaker to forget that here we have not come to bid for leadership, to bid for supporting or opposing the Ministers, but here we have all come to do our little bit in the interests of the country. If one speaker on this side has criticised the public health budget by giving facts and figures, when the speaker has eloquently

placed before the House the facts which show how we are neglecting a department which should be the first and main concern of the Government to look after, he would not, if he had appreciated this speech, come into this House with an idea that all that we are speaking is only to place the Minister in an awkward position.

4-15 P.M.

Sir PROVASH CHUNDER MITTER: I do not aspire to be a leader; it is beyond me to be a leader; we are then to please so many people.

Mr. JOGESH CHANDRA GUPTA: Let us now consider the motion before the House. The Hon'ble Mr. Donald was pleased to tell us the district public health organisation, which is being taken up now, was the scheme prepared at the instance of the late Mr. C. R. Das. I could not understand—in this connection, I will not be personal—the reference to the late Sir Surendra Nath Banerjea or how Dr. Bidhan Chandra Roy did commit a crime in being elected by the votes of the people who sent him to the Council. I will only give one instance. I was interested in this public health matter and as a member of the District Board, Dacca, I had occasion to draw the attention of Sir Surendra Nath Banerjea to public health matters. He is dead and his illustrious services to the country should not be belittled especially when he has departed his life, but may I give this information to Sir Provash Chunder Mitter that we did not get much ahead.

Mr. PRESIDENT: Mr. Gupta I would advise you not to cast any reflection on the illustrious dead.

Mr. JOGESH CHANDRA GUPTA: However I was only going to say that in this matter.....

Mr. PRESIDENT: I say again you had better not do that.

Mr. JOGESH CHANDRA GUPTA: I am not referring to that matter. I will say this that in the matter of public health each and every member of this House and each and every citizen of Bengal should realise that not a day should be lost, not the least endeavour and effort for strenuous work, should be spared by anybody towards doing something to improve the appalling situation in Bengal. I really complain that the Hon'ble Finance Member did say that much of the money could not be spent though there were all these crying needs. Now what is this scheme of the district public health organisation? We on

this side of the House are anxious that Government instead of doing nothing should make it their paramount duty to grapple with this problem. If they do that they will be doing something: they will be justifying their existence to some extent at least in the public estimation. At present as they are going on in the interest of the people—be it public health, be it industries, be it agriculture—nothing is being done. As I have pointed out this budget shows that for this Public Health Department a lesser amount has been provided. Why, I do not know. I have already referred to the fact that during the two years the department was administered without any Minister more money had been spent. I do not know whether this lesser amount is provided in anticipation of the Ministers that are coming in, so that the same old story of the Ministers may be repeated. So there will be no dearth of co-operation on this side of the House and I want everybody in this House to join with one voice and bring it home to the Government in whatever way we can. We know our voice is not heard in the same way as of those on the opposite side and if they are really anxious and sincere in this matter I cannot understand why they should refuse to cast their votes with us on this question. If they care only to support the Government or the Ministry in anything they say, if they would be gramophones merely; then of course I can understand their refusal to vote with us. But if they really agree with us that something must be done then there is the patent fact that nothing has been done as regards public health in these years. That is why they should walk with us to the same lobby and show that they are sincere in what they profess.

Khan Bahadur Maulvi AZIZUL HOQUE: There is a saying that there is none so blind who will not see and I find with extreme deference that Sir Provash Chunder Mitter is one of them. If you will kindly look at the list of motions which have been brought forward by the swarajya party you will be able to read the sign of the times, namely, that the swarajya party, whatever might be their difference of political opinion, have come to the Council this time at least to do a certain amount of work even on the transferred side. I take it that the motion of Babu Naliniranjan Sarker of a cut of rupee one is merely to draw the attention of the Hon'ble Minister to certain features of the public health programme of the Government of Bengal, and intended to improve the health of Bengal. In this connection, Sir, nothing has pained me so much as the bitterly personal tone of the debate between member and member, and as one who comes to this House for the first time I would appeal to you, Sir, and even to Sir Provash that if we want here co-operation between one party and another, such a bitter and personal tone should be as much as possible, be absent from our speeches.

Sir PROVASH CHUNDER MITTER: My original speech on Education was not at all a personal one. But as personal issues were raised by speaker after speaker, I had also to be personal. Had they refrained, I also would have refrained. But so far as I am concerned I hate personal references, Sir.

Khan Bahadur Maulvi AZIZUL HOQUE: I thought, Sir, Sir Provash who has seen so much of political life would be generous enough not to reply to them but instead of maintaining silence, I find that he has answered them with vengeance. However, as he has guaranteed his good behaviour I will not refer to that.

Sir PROVASH CHUNDER MITTER: Not an unconditional guarantee.

Khan Bahadur Maulvi AZIZUL HOQUE: Coming back to the motion before the House I want to call attention to the smallness of provision for publicity work of the Public Health Department. There is no gainsaying the fact that publicity work in public health is extremely essential and indispensible and yet all that is spent by Government in the matter of publicity work comes to only about Rs. 800 per month. I think, Sir, the House has a right to request the Minister to increase as early as possible the staff now employed on public health work. The 4 or 5 officers at present engaged are not sufficient for the touring work—they have got to tour throughout the presidency of Bengal. They have to go to the remote villages to do propaganda work and the present staff is not at all sufficient for the purpose.

I join with my friend Babu Naliniranjan Sarkar in saying that the time has come when there should be a Public Health Act for Bengal. I think it is known, at least to some members of this House, that Mr. Goode was appointed a special officer to draft a Public Health Bill and the Hon'ble Minister should bring it out from the archives of the Secretariat. We consider it to be high time, Sir, that such a Bill should be placed before the Council and discussed in all its aspects on the floor of the House.

There is another matter to which I would like to draw attention. In order to swell the allotment under the Public Health Department, the expenditure on the Bacteriological laboratory and the Pasteur Institute has been shown in the Public Health budget. So far as I know, Sir, these two have nothing to do with the Public Health Department—in fact the Pasteur Institute is not even controlled by the Director of Public Health, and they should properly come under the Medical budget.

Sir, when we are so anxious that Bengal should advance in public health matters, it is really regrettable that the Director of Public Health should not be a member of this House. It is very much necessary that he should be in touch with public opinion and also be able to influence it. But unfortunately while all sorts of people are nominated by Government to the Council we do not find the Director of Public Health neither Director of Agriculture in this House. At a time when so much has to be done in these departments, it is very much desirable that these two officials of Government should find a place in the provincial legislation.

I also wish to draw the attention of the Hon'ble Minister and of this House to the very small grant provided for the District Boards of Bengal, and in this connection I must also call the attention of the Council to a circular of the Public Health Department in which Government have laid down that they will not contribute their share of the pay of the health officer when he goes on leave but only when he is actually doing the work. I fail to understand this. Sir, the district boards have to accept the leave rules of Government and I do not see what justification there is for Government to enunciate such a rule and not to pay its share of contribution. I support the motion of my friend with the above remarks.

(At 4-27 P.M. the Council was adjourned and it reassembled at 4-40 P.M.)

Rai JADUNATH MAZUMDAR Bahadur: Sir, I would that we were as much alive to the question of public health outside as we seem to be inside this House. I agree with Mr. Naliniranjan Sarker that the sanitary conscience of the people must be roused. It is a matter of regret that the people of Bengal have not yet developed their sanitary conscience. No amount of effort on the part of Government or on the part of district boards or municipalities can do any good to the people unless the people themselves have roused their sanitary conscience. I speak from personal experience as a member of the district board of Jessore and as its first non-official chairman for many years that not only in the district of Jessore but in other districts also the majority of the people are found entirely wanting in what is called sanitary conscience, and what I mean is this: If a good tank is dug in any village in no time the tank will be defiled and soiled with all sorts of nuisances. Reserve a tank and the people will not allow you to keep it reserved; they will grumble and complain against it. Sir, what are the essential necessaries for public health? Sir, they are good air, good water and good and unadulterated food, but so far as pure drinking water is concerned our people require their sanitary conscience to be roused. The Bengalis as a rule do not insist upon

having pure drinking water nor do they insist upon their tanks being reserved for drinking purposes only. I have seen in the best villages inhabited by educated people that they drink from the same tanks which are used for washing and bathing purposes. Whenever cholera breaks out in any part of the country we find that it is carried by river water and if you ask the people to desist from drinking river water without boiling it, they will not listen to it. They have not the sanitary conscience to realise that. They do not know that by drinking that water howsoever much pure it may appear at the first sight they are drinking poison. To explain these things to them it is necessary to send itinerary teachers to all parts of the country to introduce sanitary books in all primary schools, secondary schools as well as middle English schools, in order to acquaint the people with the sanitary needs of the country. Mere provision of good drinking water will do no good—we want patriotism to be developed. Sir, the Chairman of the 24-Parganas district board will bear me out when I say that though he has sunk hundreds of tube-wells in his district he finds it difficult to maintain them as they are all intentionally broken by the people themselves as if in order to deprive themselves of the sources of good drinking water.

4-45 P.M.

Sir, I have seen the same thing in the district of Jessore where we have provided lots of *pucca* wells; these *pucca* wells are defiled intentionally by the people who do not think either for themselves or for their neighbours. So I say that not only the sanitary conscience of the people should be roused but also their patriotic consideration for others, for they have no consideration either for themselves or for others. Therefore, I say, the whole question revolves upon the education of the people. I believe that my friends on the other side would do well by not contenting themselves with agitating the question here only, but that they should, when they go out to the country, preach to their constituencies the necessity of what is called pure drinking water and pure air, without which no amount of help given either by the Government or by the district board will be of any avail, because they do not know—will not know—their great utility.

Sir, we have heard a lot of acrimonious discussion to-day in this House and I think that my esteemed friend Sir Provash Chunder Mitter has misunderstood the swarajist motions. I believe that these motions are friendly in character: they are not intended to embarass, or convey censure on, the present Minister but they are intended to censure the past administration of public health in this country and nobody can say that the public health of this country has been well looked after by the Government. Sir, I have been crying in the wilderness during the last 40 years for the improvement of public health in this

country and I have received no response either from the people or from the Government. If the Government is to blame, the people also are equally to blame, because if the people unite their voice no Government, however bureaucratic and however unsympathetic, can resist the claim of a united people.

Sir, I come from a district where the population was about 21 lakhs in 1881, whereas it is now about 17 lakhs only: the population has come down by 4 lakhs during the course of the last 40 years. This fact alone should bring shame upon the Government of any country. There is no denying the fact that the people of this country are dying out gradually. This is not only true of the district of Jessore, but it is also true of other districts, *viz.*, Murshidabad, Hooghly, the 24-Parganas, etc. All these districts of Bengal are deteriorating more or less every year. If you look to the figures for agricultural crops, published by the Government, you will find that the average area under crops in every district of Bengal is going down.

Now, Sir, Bengal has four natural divisions, *viz.*, the eastern division, the northern division, the central division, and the western division. The eastern division has got ample water, it has still got live rivers, and, therefore, the eastern division is the best division now. But even that eastern division is deteriorating in point of health and agriculture. Then comes the northern division which is better than the central division but is worse than the eastern division. Then comes the central division—I mean the Presidency division—which is worse than the northern division comprising of Rangpur, Malda, and such other northern districts. And last comes the western division—I mean the Burdwan division—which is the worst as regards health and agriculture. And we find that wherever the rivers are dying, agricultural prosperity is also going down, and that the average area under agricultural crops is also going down, and whether.....

Rai HARENDRANATH CHAUDHURI: On a point of order, Sir. Are we discussing agriculture?

Rai JADUNATH MAZUMDAR Bahadur: No, not agriculture. But if you consult an expert like Dr. Bentley you will find out that agriculture and sanitation are so intimately connected with each other that wherever there is good agriculture there is also good sanitation, and that wherever there is no sanitation there is no agricultural improvement. I say that sanitation, agriculture, and water-supply, *i.e.*, good rivers, are so intimately connected with each other that you cannot speak of one without speaking of the others.

Sir, I maintain that in this country whatever you may do, how many doctors—be they legion—you may employ, how many tons of

quinine you may provide, it will never rise in the scale of health—it will never attain its old prosperity—unless you revive the dying rivers. This is the crucial question, and we all, whether inside the House or outside, should concentrate our attention on this aspect of public health and sanitation. By this I do not mean to say that we should not appoint more doctors, or that we should not have more dispensaries.

Sir, I am one of those who sat on the Water-supply Committee of Bengal which was appointed by the late Lord Carmichael. Under the auspices of that committee a water survey of the country was made, but then it came to nothing. The Government was apathetic and did not care for the supply of good drinking water in the villages. I may add that what is being done now is being done in so homœopathic a dose that the people do not know when they will get good drinking water in the mufassal.

Then as regards the sanitary organisation of the Public Health Department, I may say that I was also one of the members of the committee which was responsible for the present organization of the Sanitary Department. We decided that there should be sanitary inspectors or sanitary officers in every district. For the district of Jessore we have got a health officer, but what can he do alone? He is the only available officer and is posted at the headquarters: he cannot look after the sanitation of the entire district with a population of 17 lakhs scattered over a large area. So there must not only needs be a large number of health officers, but also subordinate officers, in order that they might tour from village to village, and preach to the people how to meet their sanitary needs, how to keep their personal health, how to keep their surroundings clean, and so forth. I say, Sir, that, in order to improve the public health of the country, all these may be necessary—in fact all these are necessary—and they are good things in themselves, but we must go to the root of ill-health in this country, which is nothing but the dying rivers of Bengal, and, I maintain, that if you do not attend to that question, no amount of sanitation will help you.

Rai HARENDRANATH CHAUDHURI: Sir, I rise to congratulate the Government, not the past reformed Government nor even the present reformed Government, but the re-transferred Government, for placing in the budget for 1927-28 a provision of Rs. 3 lakhs for the initiation of district public health organisation. Such a scheme, Sir, could not be initiated during the first three years of Ministry in Bengal, nor such another scheme would probably be undertaken even during the coming years of Ministry. It was only when there was the Eclipse of Ministry, when there was no Minister in the province, that the Government thought of providing in the budget Rs. 3 lakhs for district

public health organisation; and that too, Sir, not at the instance of any co-operator, but on the instance of that arch non-co-operator, that distinguished patriot, Deshbandhu Das.

I clearly remember, Sir, that the three new taxes, which were imposed on Bengal with the acquiescence of the then Ministers, were first conceived as temporary expedients by no less a person than the than Governor. I remember Lord Ronaldshay speaking in the Council said that three new taxes would be imposed as temporary expedients. If those three new taxes were imposed on a permanent basis, it was because the then Ministers persuaded the co-operating Council to accept these three taxes permanently. It must be admitted to the eternal credit of the then Ministers that but for their co-operation, but for their acquiescence, three such big and additional taxes would not have been imposed on Bengal. I also remember why Sir Surendra Nath Banerjea pleaded that those three new taxes should be accepted permanently. He hoped that if the Bengal Council enacted the new Taxation Bills on a permanent footing, it would be possible to launch grand loan schemes, which would help the Minister to drive malaria out of Bengal in no time. But, Sir, we find that after so many years the Government has come forward with a scheme of Rs. 12 lakhs only and has provided for the initiation of such a scheme only Rs. 3 lakhs in the budget for the coming year. I only hope, Sir, that this provision, which has been repeated from the year 1926-27, will not meet with the same fate as in the current year. Let me hope that this provision will not on revised estimate dwindle down to Rs. 30,000 and that it will not prove after all a vote-catching measure. Now, Sir, admitting what Government has done for the initiation of the district public health organisation, I do not know why we should not be allowed to criticise the Government's action with regard to some other portions of the public health budget. Is it to be supposed, Sir, that because the Government has provided Rs. 3 lakhs for initiating district public health organisation in the next year, we must be satisfied with less grant for quinine? Is it to be supposed that because Government is contemplating the initiation of a public health organisation in districts, malaria will immediately be driven out of this land and that the provision for quinine grant may safely be reduced by Rs. 30,000? Looking at the budget you will find that in the year 1926-27 no less an amount than Rs. 1,50,000 was provided for quinine grant: that even, so far as I remember, did not meet with the wishes of the Council and there was much criticism that the grant should have been larger. But what do we find in the new budget? We find that in the coming year the Government is going even to reduce this grant by Rs. 30,000 by providing only Rs. 1,20,000 for quinine grant. There is also another item: I find on page 69 of the Financial Statement that the

contribution towards the anti-kala-azar campaign has also been reduced from Rs. 2,00,500 to Rs. 1,90,000. Is it again to be supposed that because the Government is contemplating the initiation of a public health organisation in the districts, the death-rate from kala-azar will at once show a tendency to decrease? Otherwise how can it be explained that the anti-kala-azar campaign will require Rs. 10,000 less in next year than in the present year? With these few remarks I conclude my observations on the Budget for the Public Health Department.

5 P.M.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: I rise to show the Government in the Department of Public Health how woefully neglectful it is with one of the most essential branches of administration. We hear a good deal of the building up of the nation and of Ministers pledged to this high purpose but how different are actions to catch-cries! I remember that prince of Indian orators, when he was among us, the late Sir Surendra Nath Banerjea proclaiming with great emphasis, in this Council, when he was Minister: "Give me time, give me money, and I shall drive malaria from the confines of Bengal." Alas! Sir Surendra Nath is no more, but malaria, with the other scourges, whose name is Legion, still stalks through the length and breadth of Bengal, taking its precious toll of human life. It is all very well for those in power to say there are no funds; that is evading the issue. No cost, no labour is too high to save human life. We should strain every nerve to see these pests removed, in order that the fair fame of Bengal should be what it was; and our men and women be what they were in those days, when Bengal was the golden province of the country, and our men and women had constitutions of iron and hearts of steel.

I do not wish to dilate on the laches of the Government, I have done so previously, yet I do wish to protest against what I have described as the patch-work policy of the Government. If the cry from the Council at one session be for good drinking water, there appears in the following year an extra amount devoted to that, as a sop to Cerberus. The next year the cry is for veterinary hospitals and something more is given for that. The following year it is for experimental farms and the Government yield to popular clamour. Take successive budgets and you will see, running through the whole, no definite, clear-cut policy.

In the Public Health Department, what is wanted is a clearly outlined policy and a consistent carrying out of that policy, by progressive stages. For instance, it is acknowledged that quinine is a valuable prophylactic against malaria. Formerly at every post office, at almost

every centre of importance, quinine packets were sold to the people, at the cost of a pice or two; and its distribution helped the people to meet the ravages of malaria. Owing, however, to some mismanagement, the distribution of this helpful drug has been withheld; and our villages are now the hot-beds of malaria and other like scourges. Why a remedy was introduced and then withdrawn, passes beyond my comprehension. In all our denunications of the Government, we are concerned with the lives and property of a few of our citizens; the great mass is left alone, dying in hundreds, nay thousands, and not a voice is raised in solemn protest. It is our duty as representatives of the people to press on and on, till these things are done for those around us. If the Government sit stolid and indifferent, the fault does not lie at our doors; but press we must and at all costs. It is for this reason I join hands with those that urge a Government of the people, by the people and for the people. Nothing else should, or will, satisfy us.

Maulvi MOHAMED SADEQUE: Mr. Chaudhuri has congratulated not the past transferred reformed Government nor the present transferred reformed Government but the retransferred reformed Government for providing more funds for the public health purposes but in my opinion he ought to have congratulated the reserved reformed Government which prepared the budget in which the present Ministers had no hand. I for one always advocate spending of more money for the sanitation and public health of the villages. We criticise Government for the expenditure on establishment and when a cut is made by the Government we at the same time fall upon Government for curtailing that expenditure. It will be found from page 181 of the budget that under "Pay of establishment" no less than Rs. 1,25,000 has been curtailed thereby the expenditure on establishment has been reduced and consequently a reduction from the total has occurred. Therefore it is not safe to say that in the present budget there is a cut under the head "Sanitation" because it was a cut on the establishment alone. Then again we always deplore that the amount is placed as non-voted in which we can have no hearing, but we find in places of Rs. 1,48,000 which was non-votable last year, we have Rs. 62,000 this year and the balance has been placed at our disposal for criticism, rejection or adoption. In these circumstances I ought to have congratulated the Finance Member for giving us an opportunity to criticise in our accepting or rejecting the demand.

Now, Sir, Rai Jadunath Mazumdar Bahadur said that the eastern circle or the Eastern division is rather in a better way as regards water-supply and sanitation. I come from the remotest part of a village in Eastern Bengal and can speak of the great water scarcity

in the islands and chars, specially of the constituency which I have the honour to represent. There is water, water everywhere but not a drop to drink. Miles and miles you may travel and you will not get good drinking water within 20 or 30 miles.

Rai JADUNATH MAZUMDAR Bahadur: I did not say that Eastern Bengal needs no water. Of all divisions I think the Eastern division is the best.

Maulvi MOHAMED SADEQUE: I think the Rai Bahadur has not been to Eastern Circle and he is no authority to say that the Eastern Circle wants no water-supply.

However, I think, it is unreasonable for us to hold the present Ministry responsible for the provisions in the budget because these budgets were framed before their appointments and in which they had no hand.

Babu SATYENDRA CHANDRA GHOSH MAULIK: Sir, I beg to draw the pointed attention of the Hon'ble Minister in charge of Public Health to the rules guiding the sale and distribution of Government quinine. In the *Calcutta Gazette* we read "quinine sulphate will be supplied to hospitals and dispensaries of the Presidency only at concessional rates" but from personal experience I know private charitable dispensaries are precluded from obtaining it. Sir, it is an anomaly and should be deprecated that while the drug it sold and distributed through such agencies as post office and panchayats—all laymen—qualified medical officers in charge of private charitable dispensaries cannot be trusted with judicious distribution thereof. "Government reserve the right to alter the price of the drug without notice", so reads the *Calcutta Gazette* of the 12th October, 1921. During and after the Great War the price of quinine rose to Rs. 50 a pound while the cost of manufacturing it was less than Rs. 9. The attention of the Minister in charge of the department was drawn to this difference and the result was the prohibition of publication of the actual cost. In this malaria-stricken country of ours where the people have been taught to swallow quinine even at the cost of their poor morsel, and Dr. Bentl[illegible] prescribed 80 grains of quinine per head, Government, which shows so much solicitude for their welfare, instead of bringing this indispensable drug to the door of the poor people free of cost in every possible way puts such restrictions to its supply that in most cases the prescription is hardly adhered to.

Sir, with these remarks I support the motion.

5-15 p.m.

The motion that the demand of Rs. 20,49,000 under the head "33.—Public Health—Grants for Public Health purposes" be reduced by Rs. 100 was then put, and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Saci Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Rai Narendranath.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Maulvi Syed Maqbul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Nem Chandra.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Habibullah, Nawab Khwaja.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Lahiri, Mr. Basanta Kumar.
Laird, Mr. R. S.
Leicester, Lieutenant-Colonel J. C. W.
Liddell, Mr. H. G.
Lindsay, Mr. J. N.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
Mitter, Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Azizur.
Raikat, Mr. Prasanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jogindra Nath, of Nator.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mohamed.
Sanyal, Babu Sashindra Narayan.
Sarker, Rai Sahib [illegible] Mohan.
Sattar, Khan [illegible] Abdus.
Sen, Mr. Satish [illegible]
Sinha, Raja Bahadur [illegible]endra Narayan, of Nashipur.
Stuart-Williams, Mr. B. C.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. R.

The Ayes being 36, and the Noes 56, the motion was lost.

The motion that a sum of Rs. 32,67,000 be granted for expenditure under the head "33.—Public Health" was then put and agreed to.

The time-limit under the head "33.—Public Health" having been reached, the following motions were not put:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 20,49,000 under the head '33. Public Health Grants for Public Health purposes' be reduced by Re. 1 (page 180, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 4,20,000 under the head '33B. Expenses in connection with epidemic diseases' be reduced by Rs. 100 (page 185, Civil Estimate)."

Maulvi SHAMSUR-RAHMAN, Maulvi TAMIZUDDIN KHAN, Maulvi SYED NAUSHER ALI, and Rai HARENDRANATH DHAUDHURI: "That the demand of Rs. 4,20,000 under the head '33B.—Public Health—Expenses in connection with epidemic diseases' be reduced by Re. 1 (page 185, Civil Estimate)."

Maulvi SHAMSUR-RAHMAN, Maulvi TAMIZUDDIN KHAN, and Maulvi SYED NAUSHER ALI: "That the demand of Rs. 13,000 under the head '33C. Public Health Bacteriological Laboratories' be reduced by Re. 1 (page 185, Civil Estimate)."

Khan Bahadur Maulvi AZIZUL HAQUE, Mr. JOGESH CHANDRA GUPTA, Rai JADUNATH MAZUMDAR Bahadur, Maulvi TAMIZUDDIN KHAN, Maulvi SHAMSUR-RAHMAN, Maulvi SYED NAUSHER ALI, and Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: "That the demand of Rs. 32,67,000 under the head '33.—Public Health (Reserved and Transferred)' be reduced by Re. 1 (page 180, Civil Estimate)."

34.—Agriculture.

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 21,27,000 be granted for expenditure under the head "34.—Agriculture (page 187, Civil Estimate)".

Sir, it will be observed that there are motions for the refusal or reduction of grants under this head: I am therefore inclined to think that a general explanation may help to clear the air and to remove misapprehension and perhaps induce the hon'ble members in whose names those motions stand not to move them and thus save the valuable time of the Council.

While speaking of the departments which have been committed to my care, I cannot overlook the important fact that the entire field of operations of the Agriculture, Veterinary and Co-operative Departments is now under a sifting enquiry by the Royal Commission on

Agriculture. To my mind it was high time that an enquiry was made into the working of these departments by a body of experts. I am sure every one will agree with me that the enquiries which are being made by the Commission are likely to lead to a proper appraisement of what is good and what is bad in the present system of working of the departments, and of the problems that lie before us in our endeavour to promote the welfare and prosperity of the great mass of the agricultural population—the real backbone of the country.

The "Veterinary Charges" budget which provides for the normal expenditure of the Civil Veterinary Department and of the Bengal Veterinary College calls for no remarks. The only noticeable item in the budget estimates for 1927-28 is the provision of Rs. 1,20,000 on account of contribution to the Calcutta Society for the Prevention of Cruelty to Animals under the new Act.

The value of the work of the department in relation to the livestock in this province on which its agricultural prosperity chiefly depends cannot be over-estimated. The serious economic loss which would have followed but for the services of the officers of the department can be easily realised from the fact that out of 1¾ lakhs of bovines inoculated during outbreaks in the course of last year (1925-26) about 1,000 or 0·5 per cent. only died.

Turning to agriculture proper, I would say that agriculture is and must always be the mainstay of the rural population in Bengal; and the aim of the Department of Agriculture in Bengal, as in other civilised countries, is the general improvement of agriculture so that the income of the cultivator who forms the great bulk of the population may be materially increased. It is idle to contend that the Agriculture Department has been barren in result. I am prepared to concede that much remains to be done for the agricultural development of the country, but the results already obtained by the department are sufficient to earn the whole-hearted support of those who are interested in the welfare of the country. I would only mention some of the results obtained which though not widely advertised have been none the less striking.

There are 2¾ million of acres under jute in Bengal. If all this area could be made to grow departmental races of jute, the increased net revenue of the jute cultivator at Rs. 20 per acre would be 5½ crores of rupees per annum. The cultivation of departmental jute means a higher yield of fibre per acre. There is already a growing demand for departmental jute seed, and instances have come to notice in which unscrupulous persons have tried to pass their seed as departmental seed.

There are roughly 12 millions of acres of high land *aus* and transplanted *aman* paddy in Eastern and Northern Bengal and in the

Presidency Division. The produce of a large proportion—say two-thirds—of this area could be increased by something like three maunds per acre by growing improved races of paddy already evolved by the Department.

The departmental varieties of sugarcane have also been an important factor in materially increasing the profits of the cultivator.

Turning to the provision of Rs. 40,804 for the Agricultural Engineer, I need hardly justify the necessity for the appointment. All the other major provinces have now their own Agricultural Engineers, but Bengal is still lagging behind. The result is that very little progress has so far been made in the province in the direction of introducing labour-saving machinery and appliances in agriculture which is one of the most important elements in agricultural improvement. It is only a whole-time Agricultural Engineer who can study the needs of the different parts of the province in this respect and make necessary recommendations as well as carry on propaganda work for the introduction of improved methods. Mechanical water-lifting by tube-wells and pumps is also essential for the purpose of irrigation. The appointment will, however, be made as an experimental measure for a period of five years, and if the experiment proves a success, the question of making the post permanent will be considered.

Nor has the important question of agricultural education been lost sight of. A scheme for an agricultural institute at Dacca has been under examination for some time, and it has now been definitely decided to proceed with it. As the Royal Commission on Agriculture is likely to make valuable recommendations in regard to this Institute scheme, it is proposed to await their recommendations before actually starting the institute. Meanwhile it is decided to proceed with the construction of buildings which are essentially necessary.

Next in importance is the scheme for the introduction of agricultural classes in middle and high English schools for which provision has been made in the Education budget. In the Agriculture budget Rs. 5,830 has been provided for the training in Agriculture of teachers deputed from the schools participating in the scheme. It is not intended that the pupils passing out of the high English and middle English schools will be complete agriculturists, but it is believed that the course of agricultural training they will receive will have so widened their outlook that they will go back to the land with a receptive mind, able to apply what they had learnt in school and to tackle new problems which arise in the course of their work.

The need for providing a simple and inexpensive system of training in the elementary principles of agriculture has not also been overlooked. It is proposed to start three elementary agricultural schools in selected rural areas to provide practical instruction in agriculture to youths after they have finished their primary education and have had some

experience of work on the land. Enquiries are now on foot with a view to selecting suitable places where three farm schools of this description can be started as an experimental measure.

The problem of water-hyacinth naturally looms very large before the public eye now-a-days. Government have been accused of inaction, but this is hardly justified. Detailed preliminary enquiries have been made and a mass of information has been collected. During my recent tour at Madaripur, I was pleased to find that the District Officer was taking a great deal of interest in this question and he was able to throw a flood of light on this problem. The question of the policy to be adopted in fighting this pest is at present engaging our anxious consideration. It is an admitted fact that the problem is vast and very difficult to tackle and requires cautious and careful handling. Hasty or ill-conceived action is doomed to failure as without the co-operation of all concerned no useful results are likely to be achieved. I would, therefore, ask our critics not to force our hands, but to allow us time to consider the various aspects of the problem before we come to a decision. The time that I ask for is not very long. I hope that in the course of this year we shall be able to decide what line of action we should pursue and then commence work accordingly.

I now turn to the Co-operative Credit budget. Undoubtedly the provision of easy credit facilities for the cultivators is essential, but if an all-round improvement in their condition is to be secured, they should be taught to purchase their necessaries and to sell their produce on a co-operative basis. A recent development in this direction is the establishment of co-operative sale societies and a great deal depends on the success of these experiments.

The movement is able now to attract with ease sufficient capital for meeting the seasonal requirements of agriculture and to do without outside assistance.

As to the budget itself, I would content myself by saying that public money could be spent on no better object than co-operation.

The only item of new expenditure is Rs. 3,000 for revision of the pay of auditors of co-operative societies. These officers have hitherto been entertained from year to year on a fixed pay of Rs. 75. It is now proposed to raise their pay to Rs. 75—3—150, and to place their posts on a permanent and substantive basis. This revision is long overdue. The expenditure on the audit staff, however, is not entirely a charge on provincial revenue, but is mainly met out of the recoveries made from the societies in the shape of audit fees.

Adjournment.

At 5-30 P.M. Council was adjourned till 2-30 P.M., on Friday, the 25th March, 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

The Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 25th March, 1927, at 2-30 P.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 98 nominated and elected members.

Unstarred Questions

(answers to which were laid on the table).

Working of rule 15 of the Devolution Rules in Bengal.

140. Maharaja SASHI KANTA ACHARJYA CHAUDHURI, of Muktagacha, Mymensingh: (*a*) Will the Hon'ble Member in charge of the Department of Finance be pleased to state whether the attention of the Government has been drawn to the discussion in the Legislative Assembly on the working of Devolution Rule No. 15, as published in the Assembly Debates, dated the 7th March, 1925, at page 2120?

(*b*) When was the attention of the Government of India first drawn to the effective working of the said Rule in Bengal, and what action has been taken by Government to have it remedied?

(*c*) Did this question come up for consideration at the last Conference of Provincial Finance Members, and, if so, with what result so far as Bengal is concerned?

(*d*) Has the attention of the Government been drawn to the discussions made by the Taxation Enquiry Committee on the subject of their report, and the observations made by the Hon'ble Sir Basil Blackett in the Legislative Assembly on the 19th August, 1926, in the same connection?

(*e*) Have Government sent any reply to the letter of the Government of India referred to by the Hon'ble Sir Basil Blackett in the Legislative Assembly on the 19th August, 1926 (*vide* page 132 of the Assembly debates of that date)?

(*f*) If so, to what effect?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) The attention of the Government of India was first drawn to the probable inadequate nature of the relief to be obtained by Bengal from the working of this rule in December, 1920. The local Government made a further protest in January, 1921. The attention of the Government of India has been drawn on several occasions to the inadequacy of the revenues of Bengal as laid down by the Meston Committee, and the question is now being considered in connection with the report of the Taxation Enquiry Committee.

(*c*) Yes. The views expressed at the Conference are under the consideration of the Government of India.

(*d*) Yes.

(*e*) Yes.

(*f*) The matter is still under consideration.

Kala-azar and infant mortality in Rangpur.

141. Babu JATINDRA NATH CHAKRABURTTY: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) be pleased to state what steps have been taken within the last three years to investigate the causes of kala-azar and infant mortality in the district of Rangpur?

(*b*) What is the result of such investigation?

(*c*) What steps, if any, have been taken to remove the causes?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Mr. Byomkes Chakravarti): (*a*) No special steps have been taken in the district of Rangpur to investigate the causes of kala-azar and infant mortality. The cause of kala-azar is not yet known with certainty and is still under investigation. It is presumed that infant mortality in Rangpur is due to the same factors as in other areas, *i.e.*, ignorance, poverty, social customs and lack of qualified medical men.

(*d*) Does not arise.

(*c*) The only means of removing the causes of kala-azar that has hitherto been found is to reduce the number of persons suffering from the disease and thus spreading infection. With the help of a grant of Rs. 9,000 from Government, the District Board has opened 33 special kala-azar centres this year.

To remove the causes of infant mortality, the elementary training of indigenous dais has been started and publicity work is being carried on by means of Baby Shows, lantern lectures, cholera posters and vernacular leaflets.

Roads and Public Works Cesses.

142. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the total amount of the roads and Public Works cess collected in Bengal for the year 1925-26; and

(*ii*) the total amount that had been paid to the funds of District Boards out of the said collection during the year?

(*b*) Will the Hon'ble Member be pleased to state the percentage which Government charged for the establishment of the collection of the roads and Public Works cess for the years 1923-24, 1924-25 and 1925-26?

MEMBER in charge of REVENUE DEPARTMENT (LAND-REVENUE) (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia): (*a*) (*i*) Rs. 81,28,799.

(*ii*) Rs. 76,01,074.

(*b*) The charge is not made on any percentage basis. Deductions made are specified in Rule 142 of the Cess Manual, 1919, and Appendices D, E and F, under that Rule, and Appendix F of the Certificate Manual. Total collections and deductions during the 3 years are given below:

	Collections.	Deductions.
	Rs.	Rs.
1923-24	.. 78,27,586	.. 4,29,505
1924-25	.. 81,83,844	.. 5,89,464
1925-26	.. 81,28,799	.. 5,27,725

Grants for Rural Water-supply.

143. Babu ROMES CHANDRA BACCHI: Will the Hon'ble Minister in charge of the Department of Local Self-Government (Public Health) be pleased to lay on the table a statement showing—

(*i*) the amount of grant for rural water-supply during 1924-25 and 1925-26 in the province;

(*ii*) the amounts allotted to each division;

(*iii*) the amount actually paid to each district; and

(*iv*) the nature of schemes in each district for which such payments were actually made?

The Hon'ble Mr. BYOMKES CHAKRAVARTI: (*i*) 1924-25—Rs. 50,000; 1925-26—Rs. 2,50,000.

(*ii*)—

	1924-25	1925-26.
	Rs.	Rs.
Presidency	20,000	75,000
Burdwan	30,000	75,000
Rajshahi	Nil	50,000
Dacca	Nil	30,000
Chittagong	Nil	20,000

(*iii*) and (*iv*) A statement is laid on the Library table.

Council of Medical Registration.

144. Dr. KUMUD SANKAR RAY: (*a*) Will the Hon'ble Member in charge of Department of Local Self-Government (Reserved Medical) be pleased to state how the expenditure of the Council of Medical Registration, Bengal, is met?

(*b*) Is any grant made from the provincial revenues?

(*c*) If so, what is the amount of that grant?

(*d*) Will the Hon'ble Member be pleased to state whether the proceedings of the meetings of the Council are published?

(*e*) If not, have the medical public any opportunity of studying those proceedings? If not, why not?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (RESERVED MEDICAL) (the Hon'ble Mr. A. N. Moberly): (*a*) The expenditure of the Council of Medical Registration is met from receipts realised from registration fees of medical practitioners, the sale proceeds of the Annual Medical List, etc., and Government grants.

(*b*) The answer is in the affirmative.

(*c*) Rs. 5,000.

(*d*) and (*e*) The proceedings are not published at length, but abstracts are furnished to medical journals for publication when desired.

GOVERNMENT BUSINESS.

Demands for Grants.

34.—Agriculture.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, when I gave notice of this motion, I was under a certain misapprehension as regards this demand. Since then the matter has been satisfactorily explained to me, and I propose, with your leave, to withdraw this motion.

Mr. PRESIDENT: You have not moved your motion.

Khan Bahadur Maulvi AZIZUL HAQUE: No, Sir.

Mr. PRESIDENT: Then why did you speak on it? (Laughter.)

The following motion was therefore not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 1,20,000 under the head '34A.—Veterinary Charges (Reserved)—Superintendence Grants to C. S. P. C. A.' be refused (page 188, Civil Estimate)."

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I beg to move that the demand of Rs. 1,82,500 under the head "34A.—Veterinary Charges—Veterinary Instruction" be reduced by Re. 1 (page 190, Civil Estimate).

In doing so, I want to draw the serious attention of the House to certain statistical figures which will show that so far as the Veterinary College is concerned there is something wrong there. This statement of mine is based on the figures which I have just now seen in the Annual Report of the Bengal Veterinary College and of the Civil Veterinary Department, Bengal. I find that in the year 1921-22 the total number of students in the Veterinary College was 143. Next year it decreased to 139, year after to 137, next year to 132, and in the year 1925-26 the figure came down to only 100. This is the total number of students in the college, and this includes not only students from this presidency alone, but also from Bihar and Orissa and other provinces. When I come to the Bengal figure, I find that during the year 1921-22, the number of students was 71; next year it was 72; the year after it was 66; next year it was 49; and this year it has come down to the magnificent figure of 29. And for this college we are

spending Rs. 2,24,492, with only Rs. 53,000 as the total receipts of the college, including the hospital fees. Sir, I think, this is a very serious matter, and it deserves a thorough enquiry on the part of the Hon'ble Minister as to how it is that the efficiency of the college has been so much reduced, if statistics is to be the basis of judging—as I believe that all efficiency is judged by statistics nowadays.

Sir, I say that from another point of view also there should be an enquiry. I hear that the Government of Bihar and Orissa is proposing to start a college of its own from the year 1929, and, if that be true, then you will find that the number of students from Bihar and Orissa and the other sister provinces will decrease, so that the Bengal figure will be reduced to the minimum. Sir, in the resolution of the Government of Bengal on the Annual Report of the Bengal Veterinary College and of the Civil Veterinary Department, issued under or over the signature of Mr. G. S. Dutt, it has been stated that the falling off in the number of Bengal students appears to be chiefly due to the failure of the district boards in employing veterinary graduates up to the prescribed standard and to the stoppage of stipends granted by the Government in pursuance of the recommendation of the Bengal Retrenchment Committee. Sir, I do not think that this statement of facts is strictly true, for the simple reason that if you compare the figures you will find that though the Government of Bengal has stopped the stipends, yet the total number of stipends has not been reduced, for I find that in the year 1921-22 Government gave 24 stipends while the district boards gave 28, making a total of 52, and in the present year the district boards alone have given 53 stipends: so the sum total remains the same, *viz.*, in 1922 the Government and the local bodies contributed 52 stipends and this year the district boards alone have granted 53. So the statement contained in the resolution is not quite correct. The other incorrect statement is that the falling off in the number of students is due chiefly to the district boards of Bengal not employing veterinary graduates up to the prescribed standard. Sir, I have some experience of district boards, and I do not think that the Government is justified in making this statement. I think that there is a tendency on the part of the Government to shift as much responsibility as possible on the district boards without giving any corresponding accretion of income to supplement their resources. The District Boards Act was passed in 1885 and their financial possibilities were devised in 1883-84. With such limited financial resources and occasional doles, they are required to do all sorts of works. In spite of this attitude of the Government, the district boards have done their work with credit, and so far as I know they are employing as many veterinary graduates as possible with the limited means at their disposal. It is said that the district boards are reluctant to employ veterinary graduates. Now, Sir, I come from the district of Nadia, and the Hon'ble the Maharaja

Bahadur will kindly remember that when he was the Chairman of the district board of Nadia in the year 1920, Government in very sweet words asked the district board to employ two more veterinary graduates. The district board agreed to do this. At that time nothing was said as to what would pay for them. And from 1921 to 1927 the Veterinary Department has sat tight over the matter. About ten days back the district board was asked by the Accountant-General, Bengal, as advised by the Government in the Veterinary Department, to pay, before the 31st of March, the sum of Rs. 8,000 as its contribution from the year 1920 to the year 1927 on this account. Now, Sir, since the law is there, over which, I think, even the Hon'ble Members of the Executive Council have no control, and when the Accountant-General asks us to pay, the only course left to us, whatever might be our closing balance, whatever might be the state of our finances—we are to pay the sum. Sir, district boards are not likely to be very enthusiastic if Government takes money in the above manner. Government should be pleased to consider what policy should be adopted in the matter of employing veterinary graduates by the district boards. But to come more to the point, I submit that the number of veterinary students has fallen off not because of the reasons alleged by the Government, but because of the rumours which are being circulated—and I think rumours are sometimes true—that both the Principal and the Vice-Principal of the college, who draw fat salaries, do not do any teaching work or any hospital work, and beyond going round the veterinary practical classes they do not do any other work. As a result, the teaching of the college has deteriorated considerably. I do not know how far these are true, but I have given out the rumours so that the Hon'ble Minister may enquire into this matter, which, after all, may affect the present position of veterinary instruction in Bengal. I am referring to this matter in order that the Hon'ble Minister may be able to find out some means by which veterinary instruction in Bengal may be improved and may yield results commensurate with the expenditure incurred.

Sir, with these remarks I move my motion.

2-45 P.M.

Maulvi TAMIZUDDIN KHAN: I intend generally to speak on the whole demand and not on the particular motion just before the House. In a country where 90 per cent. of the population depend on the proceeds of the soil, agriculture.....

Rai HARENDRANATH CHAUDHURI: May I rise to a point of order. Is the speaker entitled to discuss the general agricultural policy of Government under this motion?

Mr. PRESIDENT: It is in my discretion to allow or not to allow him to speak on the general demand. Having regard to the time at our disposal, I think he should better confine his remarks to the motion under discussion.

Maulvi Tamizuddin Khan thereupon resumed his seat.

The motion of Khan Bahadur Maulvi Azizul Haque was then put and lost.

The following motion was called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 4,96,000 under the head '34A.—Agriculture—Veterinary Charges' be reduced by Rs. 1,50,000 (page 187, Civil Estimate)."

Babu AMARENDRA NATH GHOSE moved that the demand of Rs. 4,96,000 under the head "34A.—Veterinary charges" be reduced by Rs. 100 (page 187, Civil Estimate).

He spoke in Bengali in support of his motion.

Khan Bahadur Maulvi EMADUDDIN AHMED: I am in sympathy with the mover when he says that more money is necessary for the Veterinary Department, and I beg to draw the attention of the Hon'ble Minister and especially of the Hon'ble Mr. Donald to the suggestion that serum ought to be given to the District Boards free of cost. Cattle are valuable things to cultivators and the district boards are sometimes called upon to pay charges for serum, which they find it difficult to meet, and they are unable to successfully grapple with the situation. So I earnestly appeal to the Minister to see that serum may be distributed to the district boards free of cost.

With regard to veterinary instruction, I find that the number of students who have been taking admission into the Veterinary College is dwindling down and I may be permitted to make one suggestion that the *goalas* who do the ordinary work of the veterinary doctors in the country may be given some instruction here in this college; at least they may be taught inocculation, so that when necessary they may also do something in that direction.

I have one more observation to make. In case of epidemics it was formerly the rule that certain veterinary assistants were kept reserved and when necessity arose, and as soon as a telegram was sent, men were at once available, but now this has been done away with. The result is that whenever any requisition is made a man has to be found out; it generally takes fifteen days to find out a man, and by the time he reaches the district board headquarters the epidemic has probably ceased. So I think at least some veterinary assistants should

be kept reserved so that when necessity arises they may at once be deputed to the spot.

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan Chuznavi): I am very much obliged to the hon'ble members who have drawn my attention to the various points with regard to the Veterinary College and other matters. These will receive my careful attention. I may just mention one thing and that is, that Government propose to bear the entire cost of serum. I think this will satisfy the members.

The motion of Babu Amarendra Nath Ghose was then put and lost.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 59,200 under the head "34B.—Agriculture—Pay of other Gazetted Officers" be reduced by Rs. 12,000 (page 197, Civil Estimate).

In the Gazette of yesterday a small paragraph in two lines has appeared to the effect that under order No. 1626, dated 17th March, Mr F. J. Gossip is appointed to be Cattle Expert by the Government of Bengal, with effect from the 2nd March, 1927. It appears below the name of the Hon'ble Minister and over the signature of the Secretary, Agriculture and Industries Department. I was really amazed to find that although the Hon'ble Mr. Donald in his Budget Speech last year referred to the proposed appointment of a Cattle Expert for Bengal to study the condition of cattle, it has taken them a year to give effect to that proposal.

3 P.M.

I find that this proposal which was made in February, 1926, has materialised in March, 1927. The reason of my moving this motion is that I am in favour of a total cut to the extent of the pay of this gentleman. Sir, I have been studying the Agricultural Reports of the Government of Bengal for the last few years, and I find that under the head "Cattle Problem in Bengal" the reports refer to the suitable food-supply as the paramount necessity for the improvement of cattle as also to the need of improved animal both as regards stature and milking capacity, and, thirdly, to the milk-supply problem. So far as No 1 is concerned, *i.e.*, the suitable fodder-supply for the cattle in Bengal, I do not know how far the appointment of Mr. Gossip will help us. Further, I do not think he will be able to do anything so far as No. 2 is concerned. We have been hearing ever since the year 1922 that the Rangpur Dairy Farm has taken up the project for the improvement of the cattle both as regards stature and milking capacity, but I do not know how the appointment of a Cattle Expert will suddenly

improve the stature and the milking capacity of the cattle. There is another reason as to why I want so much information about the appointment of Mr. Gossip. So far as I have been able to know—and in this matter our knowledge is mostly confined to the rumours in the streets of Calcutta and from people in railway trains—this Mr. Gossip is a gentleman who, for all we know, was merely a sergeant in some Military Dairy Farm. I want to know as a member of this House as to what are his qualifications—whether he is something more than a common *goala* or whether he has a superabundance of that knowledge by which he is expected to improve the cattle breed in Bengal. There is another reason: I am not raising any racial question. If there are Europeans available with better knowledge and qualifications, their claims should be considered, but certainly I will not yield to a fourth class European superseding the claims of fully qualified Indians. I understand that there was a public advertisement and, as a result of that, a number of gentlemen applied and would it be news to hear that although there were several highly qualified candidates who had been sent to the continent and for whom Government had spent lots of money, their claims were superseded by the appointment of Mr. Gossip? Is it not a fact that there was also a Muhammadan candidate, Mr. Baluch, who had the best recommendation from the Government of Bombay as the best Cattle Expert in India? I do not know how far that is true, but I want to know from the Hon'ble Minister as to who were the candidates who applied and with what qualifications? What was Mr. Gossip before his appointment, and with effect from what date has he been appointed? Has Mr. Gossip any academic or technical qualifications in any recognised school, college or institute which will serve the purpose of the post to which he has been appointed? I want a statement from the Hon'ble Minister that in giving this post to Mr. Gossip he was satisfied that he was the best candidate.

Sir, a sum of Rs. 12,000 will be spent for this Cattle Expert, but Government has not yet put forth any programme as to what will be the duties of the Cattle Expert in Bengal. I do not think that Government is justified in appointing a Cattle Expert or, for the matter of that, any expert without preparing any definite programme of his work. The history of the technical experts shows that they are hopeless in drawing up a programme of their own work, and from that point of view I want a statement from the Hon'ble Minister in charge of the Department whether a cut-and-dried programme has been drawn up for the officer. There is another reason why I object to his appointment. Is he sufficiently acquainted with the vernacular of the province so as to be able to preach to the masses, or will his activities be merely confined to farm work—in some dairy farm either at Rangpur or in Dacca? We have already got a good number of men possessing professional knowledge and some of them are very good in research work. But

what we really want is that there should be men well versed in vernacular to carry on the propaganda work throughout the country and preach to the masses, so that their knowledge may permeate to the masses and may be absorbed by them. I want the Hon'ble Minister to make a statement as to how far these things have been satisfied.

Sir, I must say in fairness to the Hon'ble Minister that he had nothing more to do in this matter than I had to do, and I am quite prepared to abrogate him of all the responsibilities in the matter which he has brought upon himself by appointing the Cattle Expert, but I hope he will be able to graze the Cattle Expert properly as I do not want any cattle to be let loose on public fields to graze at the cost of the rate-payers' money. Last year, this very question was taken up by Dr. Moreno, and I find that his statement was that when he asked for bread he was given stone, and he said that what was wanted was not a multiplication of experts, but to see that some tangible thing is done in a practical form. From the same point of view I would like to know if the Hon'ble Minister is personally satisfied that this expert the people of the country. I should also like to know whether the will be able to do a certain amount of work which will really benefit Cattle Expert is going to be utilised in full and that the money we are going to spend over him is not wasted, and whether the appointment of the Cattle Expert was made by superseding the claims of competent Indians.

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: May I assure the Khan Bahadur through you that I am not personally responsible for the appointment of Mr. Gossip as Cattle Expert. However, I might say this that this post of livestock expert was voted by the Council last year. There was some delay in recruiting a suitable officer for this post, and Mr. Gossip has joined only recently. The post was widely advertised and applications were received from candidates from various parts of India. The candidates were interviewed. The selected candidate, Mr Gossip, has had considerable experience of livestock work while employed as Assistant Imperial Dairy Expert in Bangalore, and he was considered by the experts to be the most suitable candidate I can assure my friend that I shall look into his work and, after I have done so, I shall be in a position to express an opinion.

The motion of Khan Bahadur Maulvi Azizul Haque was then put and lost.

The following motion was not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 3,80,000 under the head '34B.—Agriculture (Transferred)—Other Supervising Staff' be reduced by Rs. 50,000 (page 197, Civil Estimate)."

Babu NALINIRANJAN SARKER: Sir, I beg to move that the demand of Rs. 10,57,500 under the head "34B.—Agriculture" be reduced by Rs. 100 (page 193, Civil Estimate).

The Hon'ble Minister for Agriculture has presented us with a long list of matters which the Department has not overlooked. And the promises which he has held out are more than sufficient to cover the present shortcomings. I can in these circumstances well appreciate the concern which he expressed for conserving the valuable time of this House. Lest his misapprehensions should go further--lest I upset the mental balance of a great Minister let me hasten to assure him that my motion if accepted by this House will not endanger the rich chances that there are at present of the Minister resuscitating the agriculture of this province.

The work of the Agricultural Department is so vitally connected with the people that one needs no special study to estimate the real measure of its success. Every one in India is so keenly alive to the agricultural needs of this country, that the Minister had perforce to speak in an apologetic strain.

There is naturally no difference of opinion in regard to the fundamentals. It is accepted on all hands that "Agriculture is and must always remain the mainstay of the rural population in Bengal." Government and people alike derive their sustenance from it and the welfare of the nation is indissolubly bound up with the progress of this basic industry. Nevertheless, it has been languishing day by day. That our system of agriculture is in urgent need of improvement is undoubted. The pressure on the land has increased for well-known economic causes. The soil has lost in fertility for want of manuring, and proper irrigation. The raiyat is sunk in indebtedness. His beasts of draught are as weak and emaciated as his own starving self. Improved mechanical implements are entirely out of his reach. The ravages of the water-hyacinth on his crops still remain unchecked. And the shrunken harvest such as it is, is at the mercy of the shrewd monopolist abroad. No wonder, agriculture is unremunerative and the peasant lost in overwhelming poverty. Sheer self-interest should impel the Government, as the biggest landlord, to do its best for the agriculturists.

3-15 P.M.

But what has actually been the attitude and policy of the Government? They have consistently grudged expenditure on agriculture. The actual expenditure on the Department since 1921 has fluctuated between 18 and 19 lakhs of rupees, of which an average of 3 lakhs represented the earnings of the Department itself. The budget provision for the next year is practically less than that for the current year,

though the Finance Member has hidden the fact by the inclusion in it of expenditure of the C. S. P. C. A., Calcutta. The allotment is hardly sufficient to touch the fringe of the problems.

Sir, countries like Japan, Italy and Denmark had problems similar to our own. Without preaching the policy of *laissez-faire* to the helpless peasantry, they improved their agriculture within a period of 50 years. Our Government merely marked the time while the Governments of those countries were busy removing obstacle after obstacle.

The Hon'ble Minister has referred to a new seed for jute which would augment the national wealth by 5½ crores. To my mind, the Hon'ble Minister has relied too much on the *ipse dixits* of the departmental experts and has failed to see the weakness in every one of the links in the chain of the reasoning, the validity of which he takes for granted. In the first place I prefer in this case to argue backwards from the conclusion the Minister has passed over the enormity of the "if" which precedes the increase of the natural wealth by 5½ crores. As we are left in the dark as to the machinery and the method of propagandising this Aladdin's lamp, we are unable to share his enthusiasm in the matter.

The Minister has not thought it necessary to see whether the Department stood on sure grounds in their conclusion as to either the area cultivated with the new seed or the improvement in the yield thereof. If the Department had made their calculations on the basis of the official forecast, then I must hasten to tell them that they cannot stand on more treacherous ground. The margin of error in these estimates sometimes covers the entire page. It is impossible to make a reasonable estimate on the basis of the figures that are liable to an error of 30 to 60 per cent. To assure himself of the validity of this charge the Minister should make another search through the pigeon-holes of the Secretariat the same as he made to find the scheme of Nawab Bahadur Saiyid Nawab Ali Chaudhuri. This time I guarantee him success in his quest—for a complaint from a genuine trader will be found pointing out the disparity between the estimates and actuals of jute production.

I may also suggest a short cut and refer the Hon'ble Minister to the Proceedings of the Bengal Legislative Council of 17th August, 1923. Again the credulous nature of the Minister and the convenient optimism of the Department have alike thought it unnecessary to reflect upon the true cause of what increase there may be in the annual yield in jute. It suits them to appropriate all credit to the new seed that their farms have evolved. Unfortunately, the claim cannot go unchallenged. The set of intricate natural laws which are referred to by experts as "the cycle of yield per acre" would award no small share of the credit to inexorable natural causes which act independently of the inventions of agricultural institutions.

In a severely technical matter like this I must fight shy of deep waters and content myself with referring those interested to a special article from the pen of Mr. J. Bowie, in the *Capital* of the 17th instant. Even assuming that the yield per acre is the direct result of the deliberate action of our Department, there is one other point which I must mention in this connection, though I am sorry to disturb so rudely the facile optimism of the amateur Minister and his expert subordinates. The attention of the Committee of the Indian Jute Mills Association was drawn to a percentage of worse brittle fibre in certain deliveries of Kakya Bombai jute which, it says, was selected as the most suitable variety as a result of considerable expense and years of hard work on the part of the Government Agricultural Department. They were convinced, later, that the gain in quantity has been at the expense of quality. Is not this a case in point, going to show the value of these general statements so highly made by the Government Departments, so weightily put forward by their trusty henchmen, the Ministers?

While speaking about jute cultivation and the duties of the Government thereto, there is one point which I must mention now. The forecasts are meant no doubt to serve the consuming and the trading classes. But what service do the Government render to the masses who produce this commodity? Can they not, with the means they possess of acquiring intelligence, ascertain the probable demand of the coming season and advise the cultivator in advance as to the area he should sow for the year? It is, of course, not difficult to understand why the Government have not done so, for the master that they really serve is not the people of this country. Will the Minister have the courage to take from the exploiters' pocket to fill the starving bellies of his own countrymen?

It is a truism of Indian agriculture that the raiyat is lost in debt The Co-operative Department has not yet imparted the true co-operative spirit. The raiyat is, therefore, unable to save himself from the evil effects of usury and is forced to sell at the price dictated by his buyer who invariably acts in conjunction with his money-lender. In countries like America and Egypt, the Government offers every facility and advises the farmer as to the coming of better prices. I learn from responsible people that if the Government should lend its support, any amount of credit can be secured for the jute in the country which commands an international market. But this would run counter to the interests of Clive Street and no member of the Government or Minister can so much as think of moving his little finger in this matter.

Then, Sir, the Hon'ble Minister has told us that before initiating further reforms, he is awaiting the report of the Royal Commission

from whom he expects very valuable recommendations. Valuable, indeed: if we remember the economic theory which lays down the cost of production as the measure of value, the report will no doubt represent a value of £96,000 as estimated by the Secretary of State, with further capacity of usual expansion in the revised estimates. It will be of actual value, too, to many British industries for which the report will create a valuable market in this country by its recommendations for mechanical appliances. Valuable also to the British youths who will find an honoured career as experts in the Agricultural Department which the report will surely widen. But to the Indian raiyat, the only value will come in as the "value payable" in the shape of contribution to the costs mentioned above.

I could wish that the Hon'ble Minister had not so sharply changed the views he held in 1924 regarding the necessity for agricultural education, for the amounts that have been allotted are obviously too small to serve any immediate useful purpose. In fact, it is yet too early to attempt to impart agricultural education to the illiterate masses in the ordinary class-room way. The easiest is what is known as the "visualising method." The ordinary people will grasp facts better from an exhibition of lantern slides, telling posters and cinema films. An efficient organisation for working out this idea will entail a capital expenditure of Rs. 20,000 and a recurring expenditure of Rs. 50,000 both of which can be suitably shared with the Public Health Department.

It is the aim of the Department of Agriculture in every country to increase the area of arable land and decrease the cultivable waste. But in Bengal cultivable waste land has not only decreased but it has actually increased from 4,950,000 acres in 1917 to 6,200,000 acres in 1924. In addition to this, there is another 4,000,000 acres lying fallow at the present time in Bengal. The reason for this is the lack of sufficient moisture for raising the crops. Yet every year an enormous volume of water runs down the rivers and wastes itself in the sea. The neglect of irrigation in Bengal is well known; but on that the Minister is silent. For he is the Minister of Agriculture *sine* Irrigation, which is on the reserved side. In place of big projects of irrigation, the Minister needs must be content with experimenting with tube-wells and pumps for which he wants special Agricultural Engineers. From our past experience we cannot help thinking that this expert will be more an agent of British manufacturing firms than an officer serving Bengal.

In order to make a success of this Department it is necessary to institute travelling research scholarships by which the Indians of ability would be enabled to travel to the foreign countries and acquire the necessary knowledge. We have as the result of repeated doses of bitter experience lost all confidence in the foreign experts, and if the

Minister would initiate such a system of creating local experts, I venture to predict that he will be able to command the support of the house.

Regarding the scourge of the water-hyacinth, we learn that after spending so much time and money on Mr. Griffith's spray, it has been found that the spray will kill more men than water-hyacinths. And now the Hon'ble Minister wants us to bask for another year in the "flood of light" "thrown on the question by the activity of a certain District Officer". If he will listen to a suggestion of mine, I would say that the best thing in these circumstances is to finance a "catch and kill" programme. It should be made the legal duty—a curious but perhaps the only form of conscription for a disarmed country—to put forth combined efforts of the Government and people on a stipulated day to drag out and destroy all the hyacinths in the water. This has a much better chance of success than any formula so far purchased by Government.

Mr. W. L. TRAVERS: Sir, on account of the bad acoustic properties of this Chamber I found great difficulty in hearing a good deal of what Mr. Sarker said. I rise to criticise under this motion the agricultural policy of Government and, in doing so, I wish it to be understood that I am not attacking the new Minister who has just taken his office. But on the other hand, I am quite certain that in speaking, as I did last year, about the purpose and the policy of Government in the Agriculture Department, I am speaking for a very great number of the educated people of Bengal, and what I say with great emphasis is that the progress of this Department is very slow. I recognise that in the Budget of this year there is a provision for an Agricultural Engineer—a very necessary and desirable appointment as we who are up-country are aware. There are also other signs of development, but these are very slow. Now, Sir, when you have an agricultural population of the size of that of Bengal, I say it is essential that there should be progress; first of all to make the people more healthy and reduce the death-rate. Then there must be improved agriculture, in order to increase the wealth of the cultivators and to allow the general standard of the people to be raised.

As I have made these criticisms, I wish to make one or two constructive observations. Having studied agriculture and being an agriculturist myself, in my opinion at the present moment the least that Government should do is to spend a sum of Rs. 2½ lakhs more per annum. That would be an expenditure which would be immediately payable. First of all the men at the head of affairs in the Agricultural Department are too absorbed in the routine work of administration. They have really no time for various research and demonstration works which has been handed over to them. As I said last year, and as I say again

that to begin with an expert—it does not matter to me whether he is an Indian or a European if he is a good man—an expert is required for sugar alone. The prospects of sugar in this province are most favourable. There is a lot of land which will grow sugar profitably and which will not grow rice, and why should not that land be employed? It would also save lakhs of rupees being drained out to Java and other countries for the import of sugar. An expert can increase, in my opinion, the output of sugar in this province by 25 per cent. at least. That is only the minimum.

Secondly, as I said last year, another man is required to develop the cotton industries in Bankura and Birbhum; on the uplands of those districts which at present grow no crops at all and which experiments have shown are most favourable in regard to the growth of cotton. I know that these experiments are going on, but they are going on far too slowly. It will pay Government to employ a good man and to push on that work as rapidly as possible.

There is a good deal more to be done in demonstration and, in my opinion, what we want in demonstration is not the old class of demonstration officers who were very poor and inefficient. We want men who are well trained and know their work thoroughly. I think that the staff under training should be immediately increased. I hope, Sir, before the Budget is introduced next year, the Hon'ble Minister will please make up his mind and will bring up a thoroughly efficient programme in this Department.

3-30 P.M.

Mr. P. C. BASU: Sir, in supporting the motion of my friend, Babu Naliniranjan Sarker, may I raise my voice of protest against the inaction on the part of the Government in the field of agriculture? I go further and say that the Government is guilty of culpable negligence. Bengal is pre-eminently an agricultural province where agriculture is the principal item. But I am sorry to find that the Bengal Budget depicts demand on agriculture as a "minor head". So long as this system of administration will remain, so long as the extravagant system of expenditure will be tolerated by this House, so long as the expenditure on Police, C. I. D., body-guards and bands will be tolerated by the House, we shall find that this system will go on. One of the principal and main items of income of this province is land revenue which comes to over 3 crores of rupees. Further, there is the income derived from jute—duty on export of jute—which is swallowed no doubt by the Government of India. The export duty on jute amounted to nearly Rs. 3,71,00,000 last year. The income of the Government from agricultural produce was, therefore, nearly 7 crores

of rupees. But what has the Government done in respect of agriculture? I find, Sir, that a sum of Rs. 39 lakhs is spent by this Government for the Land Revenue Department, but the demand on agriculture only comes up to Rs. 12 lakhs. May I enquire, Sir, through you, what has the Government done in connection with the improvement of agriculture? Have they done anything? On the contrary, I will show from the Government reports that agriculture has been thoroughly neglected in the past. Can the Government produce any tangible evidence to show that they have done anything in this respect? The Department of Agriculture ought to be the principal department of the province. The Government which derived its principal income from this source ought to devote its whole attention for the amelioration of the peasants' condition. As you know, Sir, the peasants of Bengal are suffering from overburdened taxation and from the ravages of malaria, kalu-azar and other diseases caused by the inefficient system of embankment for the protection of railways and roads and which affect adversely the agriculture and health of the people. I do not for a moment suggest that these improvements are not necessary. Far from it. But I say that in doing so Government must do it in such a way that agriculture or health of the people do not suffer in any way. Sir, look at the appalling condition of the lands on the south of the river Damodar in the Burdwan district where hundreds and hundreds of bighas of lands have been devastated. The Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri informed this House the other day that an area of nearly 6¼ square miles of land, which was once fertile, has now become barren and fallow, and nothing can be done there now. That is due to the inefficient system of embankment which is to a certain extent responsible for it. We find that in other provinces and other countries embankments have been constructed in such a way that floods are prevented from causing any damage to the country. May I offer a suggestion, Sir, that the Departments of Irrigation, Public Health and Agriculture ought to collaborate and work up a scheme for the welfare of the province, but I regret to find that there is no love lost between the departments in Bengal! I am glad that after a long protracted agitation, the Government of Bengal has launched a scheme for the irrigation of the Burdwan district, namely, the Damodar scheme of which the estimated cost is Rs. 78 lakhs. I do hope that the scheme would not turn out like the Grand Trunk Canal scheme, a puzzle of all times to come. I find that some criticisms have already been levelled at it by Dr. Bentley. With the leave of the House may I refer to Dr. Bentley's remarks at page 184 of his Report on Malaria and Agriculture in Bengal? This is what Dr. Bentley says:—

"Recently, a scheme was drawn up for irrigation in the Burdwan district where irrigation is a most imperative necessity..... But

this scheme was based on wrong principles and a complete misunder standing of the real needs of the country. Consequently, although it would have been much better than nothing at all, it would not have been so useful as it might easily be made."

But the result has been that Burdwan which was formerly one of the healthiest and richest districts of Bengal is now one of the poorest and the most malaria-stricken places in Bengal. Dr. Bentley has also mentioned that within a period of 30 years, owing to the lack of water, nearly 50 per cent. of the net crop of the area has been reduced. At page 187 of the same book, Dr. Bentley further says:—

"Every possible encouragement should be given to private persons, public bodies and voluntary institutions to push forward irrigation projects of every possible kind, including the construction and restoration of irrigation tanks, the excavation and re-excavation of *khals* and waterways of all kinds, and the care and conservancy of river channels generally."

But nothing has been done even after Dr. Bentley reported as above. Further, Sir, the encouragement advocated by Dr. Bentley has not been given by the Bengal Government. Then at the conclusion of his report, Dr. Bentley says that with the strongest possible emphasis at his command he would urge the need for the appointment of an Irrigation Commission for Bengal. In doing so, he says: "This is all the more necessary because, I believe, Bengal does not possess at the present time a single officer who can claim practical acquaintance with the innundation irrigation systems of the Punjab and Sind respectively." Dr. Bentley also recommended that the flush irrigation system is the only thing that could be done in Bengal. In these circumstances, Sir, I hope that the Government of Bengal ought to take into consideration the real needs of the country where agriculture is the principal industry. I think the Hon'ble Minister will say that there is a Royal Commission on Agriculture which is now touring all over the country. We have seen many Royal and other Commissions like the Decentralisation Commission, the Muddiman Commission, the Lee Commission and many other commissions which have been set up before. But have we ever been benefited by the recommendations of any of these commissions? So long as the recommendations of a commission are favourable to the services they are accepted, but those recommendations which are designed to benefit the people of the country are always rejected, and the reply always is "the lack of funds". On the contrary, whenever there is a recommendation made for the benefit of the services, funds are always forthcoming.

With these few words, I would support the motion of Babu Naliniranjan Sarker.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Sir, we are very thankful to the Hon'ble Minister for the announcement he made yesterday with regard to starting of agricultural schools in selected rural areas to provide practical instruction in agriculture. These we wanted for a long time, and we are thankful to the Hon'ble Minister for the steps he is taking in this direction; but I am sorry I cannot agree with him when he says that the results already obtained by the Department are sufficient to earn the whole-hearted support of those who are interested in the welfare of the country. In this connection I beg to say that this Department has always been regarded as a useless Department and a losing concern. Though the Department has been working for a long time, I am sorry it has not achieved any success; as a matter of fact, it has not been able to gain the confidence and faith of the people of Bengal. There are experimental farms; demonstrations and experiments have been carried out, but it is much regretted that the results of those demonstrations are not sufficient to encourage the people to adopt their methods and advice. The produce of the Department obtained after long experience and after many experiments is costly; and people naturally do not care to adopt their advice, unless the grounds are economical and the results indicate cheapness from the commercial point of view. To me it appears that to achieve success in the Department the number of experimental farms should be increased gradually and that these farms should not be placed in the headquarters of the districts but in mufassal centres where there are more peasants and more cultivable lands. I do not agree with the Hon'ble Minister when he says that the produce of a large proportion of the area could be increased by growing improved races of paddy already evolved by the Department. Theoretically, it is all right, but in practice we find there are great difficulties. First of all the paddy supplied by the Department is not sufficient to meet the demand of the country it is very small in quantity and it does not keep up to the requirements of the country. Secondly, this paddy is supplied from the district headquarters. To me it appears that unless it is supplied in the villages, to the presidents of panchayats, and to influential men of the villages for sale and distribution, it is of no use at all. You cannot expect the villagers to go to headquarters to buy or to secure those improved races of paddy. I appeal then to the Hon'ble Minister that in future this paddy should be sent to the villages to the presidents of panchayats and other influential men in the villages for sale and distribution, so that the villagers may have an opportunity of getting a good supply of paddy seeds. Then they can avail themselves of this advantage.

3-45 P.M.

Rai HARENDRANATH CHAUDHURI: Sir, when I think of Bengal with its 77,000 square miles and a population of 46 million

souls, more than 90 per cent. of whom are agriculturists, I wonder how can a Minister of Agriculture of such a province come forward to introduce the Budget for the Agricultural Department, providing for Rs. 12,36,000 with anything but an unreserved apology. For, indeed, the Agricultural Budget covers only about 1 per cent. of the total expenditure of this province. Yet there is no end of special pleading to justify the working and existence of the Department no end of pompous pretence about its achievements. Year after year Kakya Bombai and Chinsura Green, Indrasail and Kataktara are held up before us as instances of its epoch-making discoveries, and the Hon'ble the Minister in charge of the Department appears to think that these specimens will bear repetition till the very end of time. If there be any department which is more concerned with its establishment than with its activities, it is the Agricultural Department. It has a few researches to its credit, but no appreciable results. It undertakes demonstration, though only to prove that agricultural farms are to be run at a loss! It carries on experiments and propaganda, though the people are unaware of them. It maintains an agricultural school at Dacca which, according to its own admission, "is producing results, in that it is in process of demonstrating that there is no demand for education in practical agriculture unless Government employ is in view at the end of the course". A matter worth demonstrating indeed! It beats hollow Almascar's day-dream in its calculation of what would be the increased income of the province if all the 2¾ million acres under jute and 12 millions acres under highland Aus and transplanted Aman paddy be made no one knows how and when to grow departmental seeds, yet its provision for the sale of departmental seeds is fast dwindling, and it is anxious to make experiments with less and less funds.

Now let me quote certain facts and figures in support of my contention. Let us take the outturn of jute to which in the interests of foreign trade the greatest attention has been bestowed by the Agriculture Department:—

Year.	Area cultivated.	Outturn.
	Acres.	Bales.
1919-20	... 2,458,900	7,567,832
1924-25	... 2,357,600	7,165,658

Thus, it will be seen that there has been no improvement on the whole in the jute position. Take the rice position. There has been no improvement so far as the area under rice is concerned. In 1919-20 the area cultivated was 20,940,000 acres and in 1924-25, 20,868,700 acres. And then take cotton. The total outturn of cotton in 1918-19 was 28,713 bales, and in 1924-25 21,440 bales. Let me then take the area under

sugar-cane. It was 218,900 acres in 1918-19 and it is 206,200 acres in 1924-25.

My next point is, as I have said before, that the demonstration farms under the Department have not been a success. What is demonstration for, if you cannot show that you can work the farm with profit? What lessons do you expect to impart to the people? The latest results of the departmental working of some of the farms are given below:

Names of farms.		Loss.
		Rs.
Suri	...	6,455
Berhampore	...	5,585
Jessore Khas Mahal	...	103
Comilla	...	2,376
Mymensingh	...	550
Barisal	...	506
Dhanbari	..	576
Jamalpore	..	351
Rungpore Demonstration	...	1,145
Burirhat	...	4,093
Bogra	..	2,660
Pabna	.	1,522

I mean to show that all the farms have been running at a loss. I will not quote the figure for the Dacca Farm, because it may be quoted in reply: "Both the Dacca and Rajshahi Farms are experimental ones, and it is inevitable that they should show some profit". What an army of Directors, Superintendents, District Officers and Demonstrators will avail if the propaganda they have to carry on centres round a programme of demonstration which is but a series of costly losses?

It appears to me, Sir, that our Department of Agriculture is still groping in the dark. It has no appreciation—much less seisin—of the factors standing in the way of the agricultural development of the province. It pins its faith to committees and commissions and seeks for light in their reports. But what on earth, Sir, can give vision to those who will not use their God-given eyes? Have they even cared to follow the recommendations of the various committees which reported in the past on agricultural matters? In 1919 the Indian Cotton Committee recommended that the botanical survey of cotton tracts of Bengal should be completed. What effect has been given by

the Agricultural Department to that recommendation? A resolution was moved in this Council in 1923, drawing the attention of the Government to the recommendation. Has the survey been completed even now? Is the Government even now sure of its mind regarding the line to be followed in the matter of improvement of cotton cultivation? In 1905-06 the Department of Agriculture in Bengal had decided that if anything was to be done towards the improvement of cotton cultivation it would be best to work on the indigenous varieties. But in the latest report we see that the possibility of replacing the local cotton in Hill Tippera by American will be encouraged, although the investigations regarding the Hill cotton of Bengal have not yet been finished. In 1920 the Indian Sugar Committee made certain recommendations. May we know what effect has been given to the other recommendations than the proposal to increase the cadre of the Deputy Directors? Has not Bengal to cover much of the loss in respect of sugar? Is it not a fact that 25 years ago it was easily the second among the provinces of India in the matter of sugarcane cultivation? You have discovered Yellow Tana you say. Is it really an improvement on the West Bengal Samsora? Has it led to any appreciable improvement in the sugar position of Bengal?

The Department is probably now awaiting in masterly inactivity the recommendations of the Royal Commission. We do not desire to anticipate and prejudge them. The people, however, will be thankful if the recommendations of the Commission do not open up further avenues of exploitation.

But our greatest grievance is in the matter of agricultural education. This Government has systematically ignored it, even in the recent past. As far back as 1901 proposals were made at an educational conference at Simla for affording increased facilities for agricultural education, and we find in the departmental report that as an experiment Government sanctioned the opening of agricultural classes in secondary schools in Bengal. Soon after they changed their mind and attempted to introduce nature study in the curricula of primary schools. Even so late as in 1924-25 no decision was arrived at in regard to high schools. On the contrary, Nawab Sahib's ministry issued a resolution which, if I remember aright, insisted that the institution for agricultural education should be water-tight compartments. Even primary schools were avoided they say, "as it was considered that the removal of illiteracy must absorb the whole energy of these schools". In the same breath they tell us that so far as sericultural education is concerned, the primary schools at Piasbari, Amriti and Kumarpur are doing good work. In addition to primary education, they say, children are taught the rudiments of modern sericulture. They should, therefore, when they grow up remember the

improvements advocated by the Department and be more amenable to propaganda. They say that there is "an immediate possibility of adding Rs. 10 crores per annum to the net income of the province. The realisation of this enormous increase requires no outlay of capital. But the only hindering factor is that the process of educating the cultivator is slow." Again, the next moment their regret vanishes into the thin air, and they say that knowledge of improved agriculture is a "subsidiary asset."

When such is the case, when it is apparent that the Agricultural Department does not know its mind, it is only natural that they will dangle only a few thousand rupees before us and advertise that provision has been made in the Education Budget for agricultural classes in middle and high schools in Bengal. Thus, after wasting about two decades which have seen the development of agricultural education in other provinces, the Government of Bengal is announcing with fanfare its return to the programme of introducing agricultural courses in high and middle schools in Bengal, with a magnificent provision of about Rs. 13,000 in the Education Budget of the next year. Is it not a sorry spectacle, Sir, that while other provinces, even provinces like the Punjab, are pushing forward with a definite scheme for agricultural education, our Government is still uncertain in its policy and hesitant in its programme. While Bombay, Madras, United Provinces and even the Punjab can boast of an agricultural college, Bengal has nothing of its kind. On the contrary, a committee was constituted to investigate the system of agricultural education as it prevails in the Punjab. The labours of the committee are yet unknown to the public and their report has not yet seen the light of day, but one thing is certain that Bengal is not leading in such a matter of vital concern to the people.

SECRETARY to GOVERNMENT, AGRICULTURE and INDUSTRIES DEPARTMENT (Mr. C. S. Dutt): Sir, the fact that so many speakers have spoken on this motion is a welcome sign of the increasing interest which the people of our province are taking in the matter of agriculture. The chief difficulty, Sir, as is well known and as was clearly brought out in the evidence given before the Unemployment Committee, is that the educated people of Bengal do not take sufficient interest in agriculture as an industry. (A VOICE: Question.) That is the chief reason of the decline of this industry. I shall not go into the reasons for this state of things, but the unfortunate fact remains that the educated people do not take sufficient interest in agriculture, and it is recognised as a primary factor that the system of education is at fault.

Therefore, it is much more difficult to improve this industry in Bengal than in any other province of India. I am replying on behalf of the Hon'ble Minister whom my friend, Babu Nalinirnanjan Sarker, has described as an amateur Minister. The Hon'ble Minister says he has no objection to this term, but apparently it seems to me that that side of the House to which Mr. Sarker belongs has the ideal before them of a professional Minister. All I can say, Sir, is that the Hon'ble Minister is known to be an agriculturist with a large farm of his own which cannot be said of very many members of the educated class in this province, and I do not know if any of the speakers who have spoken on this motion are so keenly and practically interested as he is in the practical side of agriculture.

However, I now pass on to the Agricultural Budget, and here I wish to clear the position by saying that a great deal of the criticisms levelled against the work of the Agricultural Department is due to a non-realisation of the fact that agriculture can only be improved by those who take it up as an industry, and the function of Government in relation to agriculture is analogous to the function of Government in relation to other industries. Government cannot conduct an industry; it can only help people with advice, guidance and education, and by means of demonstration and research. Government can conduct research, and they are conducting research. But when they employ more research officers, the cry is at once raised that they are spending more money on staff than is necessary. Research is a most important thing for an industry, and it is so for the agricultural industry as well. The complaint has been raised that Government farms do not pay. Well, Sir, they are not meant to pay. This complaint, again, is due to the non-realisation on the part of the public of Bengal of the object of these farms, and of the function of Government in relation to the agricultural industry. They ask—What are Government farms for, and why are they being multiplied in the districts? The answer is—They are there because their chief and legitimate object is not that Government should conduct farms on a paying basis, which as I have already pointed out is not the primary function of Government, but that they should investigate into the agricultural possibilities of every district and conduct research. If you conduct research, you cannot make it pay.

Rai HARENDRANATH CHAUDHURI: But incur loss.

Rai JADUNATH MAZUMDAR Bahadur: I understand that the Government farms are merely experimental and demonstration farms.

Mr. C. S. DUTT: Yes, only a portion of these farms, about one-fourth, one-fifth or one-sixth, is set apart for demonstration purposes. You cannot expect that this one-fifth or one-sixth will pay for the

whole expense of research conducted in a farm. If the hon'ble members will only take the trouble to read the report of the Agriculture Department, much of these uninformed criticism against the Agricultural Department will vanish.

Maulvi ABUL KASEM: They are not worth the paper.

Mr. C. S. DUTT: Sir, I was pointing out the function of Government in relation to agriculture. Next to research is the question of demonstration. (A VOICE: To demonstrate loss!)

In regard to demonstration, Sir, Government fully realise its importance and the only way they can demonstrate is by employing a staff, but when they do that they are criticised. I am glad to see that Mr. Travers appreciates the importance of increasing the demonstration staff. Government have recently come to the decision to increase the staff for demonstration by about seven more District Agricultural Officers. My friends on the other side would probably say that demonstration is of no use to cultivators and that the staff of District Agricultural Officers need not be increased, but I say that the insistent cry of the people for the employment of these officers—which Government find it very difficult to meet—is in itself a sufficient answer to this criticism.

Next to demonstration which Government are trying to meet by increase of staff comes the question of agricultural education. I had a great deal to say about this, Sir, but my time is short. But I may say that schemes for agricultural education in this province have failed, because of the disinclination of the *bhadralok* to take to a course of agricultural education. Government have sanctioned a scheme.....

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir, may I point out to the Secretary that Mr. Finlow only reports.....

Mr. PRESIDENT: That is not a point of order. Please take your seat.

Mr. C. S. DUTT: Those who complain of the inadequacy of the expenditure on agricultural education will be glad to learn that Government have decided to make an early start with the Dacca Agricultural Institute which will cost Rs. 14 lakhs in capital and Rs. 2 lakhs in recurring expenditure.

Then, Sir, complaint has been made of the inadequacy of provision for irrigation in the Agricultural Budget. I should explain here that allotments for irrigation schemes are made, not in the Agricultural Budget but in the Irrigation Budget, and in this year's Irrigation

Budget Government have made provision for initiating the Gangakhali-Soadighi scheme in the district of Midnapore which will cost about Rs. 9 lakhs, half of which will be met by Government. Then, again, it is well known that the co-operative irrigation societies in Western Bengal and notably in the districts of Bankura and Birbhum are carrying out a large number of irrigation projects, and already the total area irrigated through the activities of these co-operative irrigation societies amounts to no less than 70,000 bighas. Government have been helping these societies with expert staff for organisation and supervision, as well as with expert engineering advice in carrying out their schemes, and in some cases Government have also lent capital on specially favourable terms to co-operative irrigation societies. Several irrigation schemes have now been taken up under the Bengal Agricultural and Sanitary Improvement Act with capital advanced in the first place by Government, and several others are expected to mature shortly. It is, therefore, not correct to say that Government are apathetic in the matter of irrigation and are not taking sufficient steps to promote irrigation in this province.

With regard to Mr. Travers' suggestion about a sugar expert and another officer to develop the cotton industry, I may say that Government are quite alive to the need for increasing the demonstration and research staff, but in this matter as in many others, Government are awaiting the Report of the Royal Agricultural Commission before they decide on further lines of advance. In the meantime, Sir, Government are not sitting idle. They are going ahead with various other schemes of development which I have explained to the House.

I repeat, Sir, that it is not the business of Government to conduct agriculture. It is their business to conduct research and to help with expert advice, for which there is a great demand among real agriculturists, and to provide proper and suitable methods of agricultural education in which we are now experimenting. I have explained, Sir, that the difficulties in the way of imparting agricultural education in this country are due to the peculiar social conditions prevailing in Bengal which makes it difficult for Government to evolve a proper system of agricultural education which will appeal to the educated classes.

Rai HARENDRANATH CHAUDHURI: What about water-hyacinth?

Mr. C. S. DUTT: As regards water-hyacinth, Sir, the Hon'ble Minister has already said that the subject is a most difficult one, but it is receiving the earnest consideration of Government, and it is hoped that a policy with regard to action to deal with this pest will be shortly enunciated.

While on the subject of agricultural improvement, I cannot but mention the activities of the Co-operative Milk Union in Calcutta and Barasat which are the outcome of initiative on the part of Government. (Ironical jeers of "Magnificent, magnificent" from the Swarajist members.)

I do not know if members have cared to pay a visit to them, but they are really magnificent. There is no such thing like it to the east of Suez, and the members of the Royal Commission on Agriculture who ought to know were extremely pleased and gratified with this institution.

I had a great deal more to say, but time will not permit me to do so, but in conclusion let me say that the money spent on the Agriculture Department is spent to good purpose, and we should be able to spend much more with advantage as funds become available and as the scheme now under consideration mature.

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Chaudhuri, Rai Harendranath.
Cooper, Mr. C. G.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
James, Mr. F. E.
Kasem, Maulvi Abul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. B.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Tarakanath.
Nasker, Babu Hem Chandra.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Mr. Satish Chandra.
Shinner, Mr. S. A.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Addams-Williams, Mr. G.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Afzal.
Atiqullah, Maulvi Syed Md.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Byomkes.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cohen, Mr. D. J.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Ghosh Maulik, Babu Satyendra Chandra.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gofran, Maulvi Abdul.

Habibullah, Nawab Khwaja.
Hussain, Maulvi Latafat.
Jannaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Moberly, the Hon'ble Mr. A. N.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Prentice, Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sadeque, Maulvi Mahamed.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Stuart-Williams, Mr. S. C.
Woodhead, Mr. J. A.

The Ayes being 42 and the Noes 49, the motion was lost.

The motion that a sum of Rs. 21,27,000 be granted for expenditure under the head "34.—Agriculture" was then put and agreed to.

The time-limit under the head "34.—Agriculture" having been reached, the following motions were not put:—

Dr. PRAMATHANATH BANERJEA, Rai HARENDRANATH CHAUDHURI, Maulvi TAMIZUDDIN KHAN, Maulvi SHAMSUR-RAHMAN and Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 10,57,500 under the head '34B. Agriculture' be reduced by Re. 1 (page 193, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 5,65,000 under the head '34C. Co-operative Credit' be reduced by Rs. 100 (page 202, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 5,65,000 under the head '34C.—Agriculture—Co-operative Credit' be reduced by Re. 1 (page 202, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 21,27,000 under the head '34.- Agriculture' be reduced by Rs. 100 (page 187, Civil Estimate)."

Khan Bahadur Maulvi AZIZUL HAQUE, Maulvi TAMIZUDDIN KHAN, Maulvi SYED NAUSHER ALI, Maulvi SHAMSUR-RAHMAN, Srijut TARAKNATH MUKERJEA, Maulvi MOHAMED SADEQUE, Babu MANMATHA NATH ROY, Babu ROMES CHANDRA BACCHI and Rai JADUNATH MAZUMDAR Bahadur: "That the demand of Rs. 21,27,000 under the head '34.- Agriculture (Reserved and Transferred)' be reduced by Re. 1 (page 187, Civil Estimate)."

[At 4-18 P.M. the Council was adjourned and it re-assembled at 4-30 P.M.]

35.—Industries.

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,85,000 be granted for expenditure under the head "35.—Industries" (page 204. Civil Estimate).

I am responsible for the transferred side of this Budget, of which the main heads are "Direction," "Industrial Development" and "Industrial Education."

This Department was established only in 1920, and is was handicapped until recently on account of its being undermanned in its superior staff It was only about the middle of 1925-26 that the full complement of its staff was appointed; and the Industrial Chemist and the Industrial Engineer have just been provided with a properly equipped laboratory.

Besides normal expenditure, the Budget provides for only three new schemes. The first of these is a provision of Rs. 30,000 for additional grants-in-aid to technical and industrial schools. Government decided, on the recommendation of the Bengal Retrenchment Committee, to adopt the policy of stimulating technical and industrial education by a system of grants-in-aid, the existing Government institutions being retained as models for non-Government institutions. As the amount of the annual grant placed at the disposal of the Director of Industries is insufficient to meet the normal demands for grants-in-aid to non-Government institutions, we propose to supplement the existing grant by a sum of Rs. 30,000 a year in arithmetic progression for the next three years. The additional annual grant will thus, at the end of the triennial period, rise to Rs. 90,000 a year.

Next comes the provision of Rs. 15,000 for additional grant-in-aid to the Elliot Technical School, Comilla. This is in connection with the remodelling of the school on the lines approved for Government technical schools. This school had its origin mainly in local efforts, and hitherto Government were making an annual grant of Rs. 1,968 to the school. As the district board is at present unable to contribute towards its improvement, we propose to make a non-recurring grant of Rs. 14,000 for buildings and equipment and an additional annual grant of Rs. 1,532 towards the recurring cost of the school, provided the district board, when its financial condition improves, carries out further improvements. The annual recurring grant will cease when a fee is realised from the students after the improvements have been effected.

The last item is a provision of Rs. 10,000 for the establishment of a weaving school at Dacca. Dacca was once an important centre of the weaving industry in Bengal, but this industry is now in a decaying

condition. The aim of this scheme is to help in the revival of that industry. Provision is being made for imparting at the school more advanced training than that given at other district weaving schools, and the co-operation of the district board and the municipality towards the provision of housing accommodation for the school has been secured. Although provision was made in the current year's Public Works Budget for the construction of the buildings, the work of construction was retarded by the necessity for the selection of a suitable site. It is now proposed to push on the building operations and to start the school during the ensuing year.

Mr. JOGESH CHANDRA GUPTA: Sir, I beg to move that the demand of Rs. 7,50,000 under the head "35A (*b*).—Industries (Transferred)" be reduced by Re. 1 (page 206, Civil Estimates).

Sir, the question is what the Government ought to do as regards industries in this province. The answer will naturally depend upon what is considered to be the duty of Government towards the people of this province. If it is the duty of Government to do its utmost for the industrial prosperity of the people, as is recognised to be the duty of all responsible Governments, if the solution of the serious problem of unemployment and the consequent disaffection is a matter of the utmost concern for the administrators as is the case where the administration is carried on in the interests of the people, there can be no two opinions in this House that in that case the Government has been guilty of criminal inaction with regard to the policy followed in respect of this Department. But on the other hand, if it is the duty of the Government to see to the industrial prosperity of others who must market their goods here and if the Government thinks that it need not help the people in their industrial development, if it is no concern of the Government to do its best to diminish unemployment and to prevent disaffection, and if the Government considers that peace, order and good Government can be enforced by the increase in the cost of administration—the cost of the Police and by the application of the Bengal Ordinance Act, then the Government need not do anything more than what it is doing now for the industrial development. Government in that case need only turn down the suggestions—the abominable suggestions of the Retrenchment Committee, preponderated by men, incompetent and unpractical men, in the opinion of Government, like Sir Rajendra Nath Mukherji and Sir Campbell Rhodes, or do nothing as regards the spread of technical, vocational and industrial education.

But though the Government has not thought fit to accept the recommendations of the Retrenchment Committee as regards the policy to be followed in the Industries Department, yet the Government has observed the spirit of retrenchment in providing Rs. 12,000 for the

industrial development of Bengal. Everybody in this House will know that even private companies spend a hundred times more than that amount on research work for industrial development of the particular concerns they are managing. That being the position, let us now find out what should be the policy of the Government. Well, we find that in spite of the persistent clamour of these people and possibly being afraid that if men with scientific training or industrial education be placed at the head of the Industries Department the steel frame may possibly be twisted and possibly may yield to the clamour of this side of the House regarding the development of industries—we find that instead of having any man with scientific or industrial qualifications, there is a member of the Indian Civil Service at the head of that Department. And one will not be surprised if in this Department instead of any practical scheme being worked into action, only some file work is done or schemes or proposals discussed from time to time only to be shelved for some difficulties that cannot be solved by the Department.

It is a well-known fact that general education has been discredited and it is also well known that only 5 out of 100 can earn their livelihood and the remaining 95 meet with disappointment.

There can be no doubt that the paramount duty is to provide education—technical, industrial and vocational—*pari passu* with cultural education that is being provided. I would suggest that for some time to come let not the Government think about the cultural institutions. The province of Bengal has got more cultural schools than there are such schools in the rest of the provinces of India put together. It will also appear that cultural colleges in Bengal are more than those in the other three provinces put together. This policy has led only to earn the stigma for the Bengalis as a race of clerks. You cannot expect anything otherwise, unless you provide better facilities for industrial, technical and vocational education. I think it is high time, if the Government wants really to justify its existence and specially if the Minister wants to justify the position he holds, that a Board for the promotion of industrial education consisting of competent men, who can advise as to what should be done immediately, be formed and then some action be immediately taken. Would it be too much to expect that at least in every district headquarters there should be a technical school and in every subdivision there should be artisan classes and artisan schools.

Well, I have heard sometimes from the members of the treasury bench, that there is a general apathy amongst the people towards technical education. What wonder is there in this if there are no facilities, if the few technical schools that there are, are insufficiently equipped, and if the teachers and others who are provided in these schools do

not belong to any higher service than the Subordinate Educational Service. If no facilities exist regarding examination and granting of diplomas which will carry weight with the employer, is it a matter of wonder that there is some apathy? It is also sometimes said that they are apathetic to manual labour. That also will not stand scrutiny. We now find the sons of *bhadraloks* hawking about many things, carrying the load on their shoulders. So, that explanation also will not hold good. The fact—the outstanding fact—remains that Government has not got any definite policy; the Government has not any scheme which is sufficiently attractive and beneficial. Government must change that policy if it really wants to do anything for the development of the Industries Department. As regards the question of cost, I do not think there is any plea available to the treasury benches on that ground. There are unspent balances we know. There is only one instance that I will give. There is a technical school at Mymensingh and out of the products manufactured there, there is an income of about Rs. 14,000 annually.

4-45 P.M.

No technical school can possibly cost more than Rs. 20,000 to Rs. 25,000 annually, and if in these technical schools you can get out of the products of the school an income of about Rs. 14,000 managed by the district boards, why could not that be done in other district schools? I can see that the time is very short, and I get an indication from the Chair that I should cut short my speech to allow others to speak. I will sit down with an appeal to the Minister in charge and to the Government benches to do immediately all that they can, leaving aside the routine work, to get through some scheme and have a discussion on it across the table and put it into work, instead of doing idle file work in a corner of the Secretariat and saying that this and that is being done, while nothing practical is done.

Babu SURENDRA NATH BISWAS: Sir, I support this, because I got a very valuable statement to make. I suggest that one industrial school be established in every subdivision, but I am afraid that my suggestion will meet with the same fate as the suggestions of my other friends, because I heard just now as I heard from the Hon'ble Mr. Chakravarti the other day that they are not responsible for this Budget. Certainly they are not, and I think they will never be. Sir, it is really a fight between us and the European members of the treasury benches, but I know the fate of our motions. This reminds me of a story, and I hope you will permit me to narrate it.

A father and a son had to go to a distant place by a boat. They had their boat at the ghât. Both father and son got on board the boat, but it was fastened to a pole. The father held the oar and the son was at

the helm. Throughout the night they rowed and in the morning the father who was a smoker wanted to smoke. The father went out of the boat saw a house similar to his own and asked the woman of the house to give him some fire, addressing her as mother. She was astonished and said: "You went away to some distant place by the boat, and how is it that you are here addressing me as mother?" The man was astonished to see that they were rowing all night and yet they moved not a step. He went to the boat and saw that it was fastened to a pole.

Mr. PRESIDENT: On the last day of the session, one may feel sleepy and relish your story. (Laughter.) But, Mr. Biswas, I do not think I should allow you to waste more time. Our time is certainly valuable.

Babu SURENDRA NATH BISWAS: All right, Sir.

The same is just the case with us. We have criticised the Budget year after year, but the Budget has not improved a bit. When I came to this House, I was glad that I would be able to criticise a Budget of Rs. 13 crores, as previously being a member of a district board I was concerned with a budget of a few lakhs. Sir, I thought I would get something out of it. Sir Provash Chunder Mitter found fault with us for not co-operating with Government. I want to appeal to the members of the House that we want to co-operate if we are given the full scope for co-operation. We have made our suggestions and let them act up to it.

Sir, we want productive education. We are quite tired of University education. We have had much of it. The University is turning out thousands of graduates, but what percentage of that number has been able to earn their livelihood—not more than 10 per cent. I think—and 90 per cent. are starving and dying. I learn from one English I.C.S. friend that in England 25 per cent. of the boys go to the colleges and the other 75 per cent. go for practical training, and the Government there gives these students wide scope for practical training, but in this hopeless country of ours there is no such scope. If we had power in our hands—but I am sorry to say we have none—the first thing in this direction would be to demolish certain of the Arts colleges, excluding a very few for boys with silver spoons in their mouths, and to have them replaced by industrial institutions.

Rai HARENDRANATH CHAUDHURI: Sir, I want to put two direct questions. In the first place we know that the Government has got in its possession two very important reports—one the report of the survey of small cottage industries which was carried out in 1921-23 and

the other report, *viz.*, the report of the Committee which was appointed by Government to enquire into the problem of employment of educated Bengalis and Anglo-Indians. What action has been taken or the Government contemplate taking with regard to these reports?

In paragraph 75 of the Bengal Administration Report of 1924-25 we notice these remarks: "The progress in the establishment of small industries has been hampered for the absence of any legislation for State aids to industries." A Bill for State aids to industries is now under the consideration of Government. When will that Bill be placed before this Council?

Dr. PRAMATHANATH BANERJEA: Sir, my friend Rai Harendranath Chaudhuri has mentioned three important points, and I wish to mention one more. With regard to the last point I may point out that most of the other provinces have since the introduction of the Reforms introduced legislation for granting State aid to industrial schools. Will Bengal remain backward in this respect?

My second point is that some of the provinces are thinking of starting high grade industrial and technical colleges. Is it not desirable that industrial colleges giving industrial education up to the highest standard should be opened in this province?

The Hon'ble Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: Sir, Mr Gupta in moving his motion has observed that the grant for the development of industries is quite insufficient This criticism would be justified if the sum of Rs. 12,000 which is shown under this head was the entire grant available for the purpose. That is, however, not the case. It is merely a lump allotment for meeting the cost of new and unforeseen schemes in connection with the development of cottage industries. As a matter of fact inclusive of this item, there is a total provision of Rs. 77,000 under the main head "Industrial Development". And this provision is exclusive of the pay and allowances of the Industrial Chemist and the Industrial Engineer which have been provided under "Direction", where also appears the annual grant made to the Bengal Home Industries Association which is engaged in the task of marketing the products of cottage industries in the province. Moreover, demonstrations in weaving, which form an essential part of the activities of the Department towards the development of the weaving industry, are carried on by the Superintendent of Textile Demonstrations assisted by three demonstration parties, whose headquarters are at Serampore, and provision for whom appears under the head "Technical and Industrial Schools". In fact, the object of the entire grant for "Technical and Industrial Education" is to further the industrial development of the province.

It has further been suggested that there is no well-thought-out scheme of industrial employment. I hope the Council will remember that at the instance of its predecessor a committee was appointed to enquire into the question of unemployment amongst *bhadraloks* and Anglo-Indians, which recommended among other things the establishment of an employment bureau for securing employment to unemployed youths. Government are now awaiting the advice of the Director of Industries and of his Advisory Board as to the proper lines on which action in this matter is possible.

Then I think a reference has also been made to the striking insufficiency of the facilities for technical education as compared with those for cultural education. This is, however, due not to any inaction on the part of Government. As I have already said, the policy of Government is to stimulate the establishment of such schools by grants-in-aid where local efforts are forthcoming. As regards weaving education, 14 new peripatetic weaving institutions have been sanctioned during the current year, and it is intended to start at least one such school in every district as soon as there is co-operation of local bodies in the matter. A scheme has been sanctioned for the further improvement, at a total cost of Rs. 2,35,000, of the Serampore Weaving Institute, which has been already playing an important part in the development of the handloom weaving industry in the province. It is proposed to find suitable accommodation for the school and to install power-looms in it. A sum of Rs. 30,000 has been provided under the head "41.—Civil Works" in the Budget as a first step towards the construction of a school building and workshop. The Calcutta Technical School is now an accomplished fact.

There are now non-Government technical schools in several centres of the province, and steps are being taken to improve their condition. The attendance at these schools is, however, limited, and this has been ascribed to the fact that parents are rather reluctant to send their boys to these schools on payment of tuition fees which they readily do in cultural institutions; on the other hand, they expect a return in the shape of workshop allowance of their boys. Until the people sufficiently realise the importance of technical education, there is hardly any prospect of finding any appreciable increase in the number of pupils attending these institutions. Progress will, in these circumstances, be naturally slow, but in the meantime the Department of Industries is doing all that it can to popularise these schools.....

5 P.M.

Mr. PRESIDENT: Order, order! As the time-limit has been reached, I will put the motion forthwith.

The motion of Mr. Jogesh Chandra Gupta was then put and lost.

Mr. PRESIDENT: Order, order! Under sub-section (3) of section 90 of the Bengal Legislative Council Rules and Standing Orders, I will forthwith put all original demands only which are still outstanding, without any discussion. The other motions relating to these demands will automatically fail.

The motion that a sum of Rs. 11,85,000 be granted for expenditure under the head "35.—Industries" (page 204, Civil Estimate) was then put and agreed to.

The following motions failed:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 11,85,000 under the head '35.—Industries' be reduced by Rs. 100 (page 204, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI, Rai JADUNATH MAZUMDAR Bahadur, Dr. PRAMATHANATH BANERJEA, Babu MANMATHA NATH ROY, Babu ROMES CHANDRA BACCHI, Maulvi SHAMSUR-RAHMAN and Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 11,85,000 under the head '35.—Industries' be reduced by Re. 1 (page 204, Civil Estimate)."

37.—Miscellaneous Departments.

The motion that a sum of Rs. 2,37,000 be granted for expenditure under the head "37.—Miscellaneous Departments" (page 211, Civil Estimate) was then put and agreed to.

41.—Civil Works, and 60.—Civil Works—not charged to Revenue.

The motion that a sum of Rs. 1,05,26,000 be granted for expenditure under the heads "41.—Civil Works", and "60.—Civil Works—Not charged to Revenue" (pages 216 and 218, Civil Estimate) was then put and agreed to.

The following motions failed:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 50,000 under the head '41.- Civil Works (Reserved)' for works in connection with Government Houses' be refused (page 96, Civil Estimate)."

Srijut JOGENDRA NATH MOITRA: "That the demand for Rs. 1,88,800 under the head '41—Civil Works' in respect of original works for General Administration (not commenced) be refused (page 11, P. W. D. 41—Civil Works Estimate)."

Srijut JOGENDRA NATH MOITRA: "That the demand for Rs. 1,91,500 only under the head '41—Civil Works' in respect of original works for the Administration of Justice (not commenced) be refused (page 15, P. W. D. 41—Civil Works Estimate)."

Rai HARENDRANATH CHAUDHURI and Mr. P. C. BASU: "That the demand of Rs. 50,000 under the head '41—Civil Works—Construction of buildings for a new police line at Bogra' be refused. (page 99, Budget)."

Mr. P. C. BASU and Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 1,50,000 under the head '41.—Civil Works—Construction of quarters for married officers in the Lal Bazar Police compound' be refused (page 99, Budget)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,50,000 under the head '41.—Civil works—Construction of quarters for married officers in the Lalbazar Police compound' be reduced by Rs. 50,000 (page 99, Budget)."

Rai HARENDRANATH CHAUDHURI and Mr. P. C. BASU: "That the demand of Rs. 1,00,000 under the head '41.—Civil Works—Construction of quarters for married sergeants at Kapalitollah' be refused (page 99, Budget)."

Srijut JOGENDRA NATH MOITRA: "That the demand for Rs. 3,74,000 under the head '41.—Civil Works' in respect of original works for Police (not commenced) be refused (page 19, P.W.D. 41.—Civil Works Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,00,000 under the head '41.—Civil Works—Construction of buildings for Burrabazar Police-station at Mallick Street' be refused (page 99, Budget)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,82,000 under the head '41.—Civil Works—Reconstruction of the reserve lines at Barisal' be reduced by Rs. 50,000 (page 99, Budget)."

Srijut JOGENDRA NATH MOITRA: "That the demand for Rs. 2,13,600 in respect of original work under the head '41.—Civil Works (not commenced)' in respect of original work for medical be reduced by Rs. 1,39,000 (page 27, P.W.D. 41.—Civil Works Estimate)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 85,000 under the head '41.—Civil Works—Construction of a 24-feet wide tar macadam road with 8-feet footpath on either side with feeder, etc., and also for a 24-feet wide road between Calcutta Club and Leadsmen Apprentices' quarters' be refused (page 103, Budget)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,62,000 under the head '41.—Civil Works—Improvement of 'Mainaguri-Dhupguri Road including construction of lower Jhaldhaka Bridge and subdivisional buildings' be refused (page 104, Budget)."

Maulvi MOHAMED SADEQUE: "That the demand of Rs. 98,87,000 under the head '41.—Civil Works' be refused (page 216, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 98,87,000 under the head '41.—Civil Works (Received and Transferred)' be reduced by Rs. 25,00,000 (page 216, Civil Estimate)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 98,87,000 under the head '41.—Civil Works' be reduced by Rs. 8,87,000 (page 216, Civil Estimate)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 98,87,000 under the head '41.—Civil Works' be reduced by Rs. 100 (page 216, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,00,000 under the head '60.—Civil Works not charged to Revenue—Construction of New Council Chamber for the Bengal Legislative Council at Calcutta' be reduced by Re. 1 (page 105, Budget)."

Babu AKHIL CHANDRA DATTA and Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 6,39,000 under the head '60.—Civil Works' be reduced by Rs. 100 (page 218, Civil Estimate)."

43.—Famine Relief and Insurance.

The motion that a sum of Rs. 50,000 be granted for expenditure under the head "43.—Famine Relief and Insurance" (page 219, Civil Estimate) was then put and agreed to.

45.—Superannuation and 60B.—Payment of commuted value of Pensions.

The motion that a sum of Rs. 59,97,000 be granted for expenditure under the heads "45.—Superannuation" and "60B.—Payment of commuted value of Pensions" (page 221, Civil Estimate) was then put and agreed to.

The following motions failed:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 52,95,000 under the head '45.—Superannuation, Allowances and Pensions' be reduced by Re. 1 (page 221, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 7,02,000 under the head '60B.—Commuted value of pensions—Not charged to Revenue' be reduced by Re. 1 (page 221, Civil Estimate)."

46.—Stationery and Printing.

The motion that a sum of Rs. 21,07,000 be granted for expenditure under the head "46.—Stationery and Printing" (page 222, Civil Estimate) was then put and agreed to.

The following motions failed:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 11,34,700 under the head '46A.—Stationery and Printing—Government Presses' be reduced by Re. 1 (page 222, Civil Estimate)."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 21,07,000 under the head '46.—Stationery and Printing (Reserved and Transferred)' be reduced by Rs. 5,00,000 (page 222, Civil Estimate)."

Maulvi TAMIZUDDIN KHAN, Maulvi SYED NAUSHER ALI and Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 21,07,000 under the head '46.—Stationery and Printing' be reduced by Re. 1 (page 222, Civil Estimate)."

47.—Miscellaneous.

The motion that a sum of Rs. 4,42,000 be granted for expenditure under the head "47.—Miscellaneous" (page 230, Civil Estimate) was then put and agreed to.

The following motions failed:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 6,000 under the head '47.—Miscellaneous—Durbar Presents' be refused (page 230, Civil Estimate)."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,59,500 under the head '47.—Miscellaneous—Miscellaneous and unforeseen charges' be reduced by Rs. 1,00,000 (page 230, Civil Estimate)."

Expenditure in England.

The motion that a sum of Rs. 5,73,000 be granted for expenditure under the head "Expenditure in England" (page 88, Budget) was then put and a division taken with the following results:—

AYES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiqullah, Maulvi Syed Md.
Banerjea, Dr. Pramathanath.
Biswas, Maulvi Abdul Latif.
Chakravarti, the Hon'ble Mr. Syamkes.
Chaudhuri, Rai Harendranath.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, of Dhanbari.
Cooper, Mr. C. G.
De, Mr. K. C.
Day, Mr. G. G.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, the Hon'ble Hadji Mr. A. K. Abu Ahmed Khan.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.
Hussain, Maulvi Latafat.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. B.
Leicester, Lieutenant-Colonel J. C. H.
Liddell, Mr. H. C.
Lindsay, Mr. J. H.
Maguire, Mr. L. T.
Marr, Mr. A.
Mazumdar, Rai Bahadur Jadunath.
McCluskie, Mr. E. T.
Millar, Mr. C. C.
Mitter, Sir Pravash Chunder.
Moberly, the Hon'ble Mr. A. N.
Morgan, Mr. G.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. G. R.
Rahman, Mr. A. F. M. Abdur-.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. S. N.
Sachse, Mr. F. A.
Sadequa, Maulvi Mohamed.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Maulvi Abdus.
Sen, Mr. Satish Chandra.
Stuart-Williams, Mr. S. C.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Woodhead, Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh.
Bagchi, Babu Romes Chandra.
Banerjea, Babu Premetha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghosh Maulik, Babu Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.

Huq, Khan Bahadur Maulvi Ekramul.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Nasker, Babu Ham Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sanyal, Babu Sachindra Narayan.
Sarker, Babu Naliniranjan.

The Ayes being 58 and the Noes 23, the motion was carried.

Rai HARENDRANATH CHAUDHURI: Sir, on a point of personal explanation. By mistake I went into the "Ayes" lobby. I wanted to go to the "Noes" lobby and vote against the motion.

Rai JADUNATH MAZUMDAR Bahadur: I think that for the first time my friend has erred on the right side.

Mr. PRESIDENT: I do not think that the Division List can be altered, but I will have your statement recorded.

The following motion failed:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 5,73,000 under the head 'Expenditure in England—Estimate of leave and other allowances payable in England' be reduced by Re. 1 (page 88, Budget)."

Loans and Advances.

The motion that a sum of Rs. 10,81,000 be granted for expenditure under the head "Loans and Advances" (page 89, Budget) was then put and agreed to.

SUPPLEMENTARY OR ADDITIONAL ESTIMATES OF THE GOVERNMENT OF BENGAL FOR 1926-27.

Demands for grants.

20.—Interest on Other Obligations.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,000 be granted under the head "20.—Interest on Other Obligations" for payment of interest on the deposit of Rs. 50,000 made by the Jain community.

A memorandum has already been circulated to members explaining the necessity for this demand. I have nothing further to add to it.

The motion was put and agreed to.

43.—Famine Relief and Insurance.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 15,000 be granted under the head "43.—Famine Relief and Insurance", to meet relief charges in connection with the floods in the Midnapore district.

The motion was put and agreed to.

Mr. PRESIDENT: I have an announcement to make. His Excellency the Governor will address the Council at 10-30 A.M., to-morrow. The Council will, therefore, meet at 10-20 A.M.

Adjournment.

The Council was then adjourned till 10-20 A.M., on Saturday, the 26th March 1927, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 26th March, 1927, at 10-20 A.M.

Present:

The Hon'ble the President (Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 74 nominated and elected members.

At 10-30 A.M. the Registrar to the Council announced to the Hon'ble the President that His Excellency the Governor was without.

The Hon'ble the President then left his seat on the *dais* and met His Excellency at the head of the staircase. His Excellency then entered the Council Chamber with the Hon'ble the President, and, at the request of the Hon'ble the President, took his seat in the Presidential Chair, the Hon'ble the President being seated on His Excellency's right.

His Excellency the Governor's Address.

HIS EXCELLENCY the GOVERNOR of BENGAL (the Earl of Lytton): GENTLEMEN,—I have come here to-day to bid you farewell and through you, its representatives, to bid farewell to the province of Bengal with which I have been intimately associated for the last five years. At such a moment I wish to divest myself of the official limitations attaching to my office and to address you for the last time not as a Governor but as a friend. It has been my privilege to be associated with some part at least of each of the first three Councils elected under the revised Constitution of 1919. On former occasions I have addressed these Councils on specific matters connected with legislation or with the policy of the Government of the day. To-day I shall make no reference to particular questions except to thank you for having passed the budget and for the provision which you have made therein for the various departments of Government during the coming year. Nor shall I attempt a general survey of the last five years. Those years have now passed into history and must await the verdict of posterity. I stand in the presence of the representatives of all the political parties in this province. I want, if possible, to say nothing which can be controverted by any one of them. The period

in which we have been brought together and worked either in agreement with or in opposition to each other has been a transitional period in which some have tried to prove the value and others the futility of the present constitution. I recognize that both have been sincere. It will be my endeavour, when I return to England, to be equally sincere and to interpret as fairly as I can to my own countrymen both the merits and the defects of the system of Government which after full enquiry in this country they hoped would be found suited to existing conditions. I trust you will agree that I have rightly interpreted the facts of the situation, if I tell them that, while all parties in India desire the main principles of the British Constitution to be applied in this country as nearly as possible, no constitution is likely to be acceptable, which proceeds on the assumption that the political conditions in India are similar to those which exist in Great Britain, and equally no constitution is likely to work well, which is based more upon an abstract political theory than on a study of the actual political conditions of the country. The existence of an Executive which cannot be removed by the legislature and of a legislature which cannot be removed by the Executive is not calculated to produce harmony between the two and without harmony between the legislature and the Executive efficient Government is impossible. To ensure harmony an elected legislature requires an Executive responsible to it and removable by it, and an irremovable Executive requires a nominated legislature. A system which secures the supremacy of the Executive not by the support of the legislature, but by the exercise of an over-riding authority is not, I think, proving the best preparation for full responsible Government. It will be agreed, I think, by all that we have had a difficult machine to work and the machine has been more difficult to work in Bengal than elsewhere because of the inequitable financial basis on which the new Government was established in this province. The Meston Settlement has been a millstone round the necks of successive Governments, rendered all the heavier by the period of trade depression which followed the inauguration of the Reforms. The remission of all provincial contributions which we are promised in the near future will not help but only accentuate the handicap which has been placed upon Bengal, for the inequity consisted not in the amount of our contribution to the Government of India, but in the inadequacy of the sources of revenue made available to the province. Those who criticize the failure of the Reforms in Bengal must not, therefore, ascribe it to any special perversity in the Bengali race, but should recognize that apart from the defects of the Constitution itself which Bengal has shared in common with other parts of India, this province has been placed under a handicap peculiar to itself.

The Reserved Departments of Government have suffered because they are reserved and therefore attractive targets for criticism and

the Transferred Departments have suffered because there was no money for their development. There has been little attraction to political parties to undertake responsibility for administering departments that could not be adequately developed and party unity has been impaired by the rivalry of individual ambitions. Such conditions have facilitated political blackmail and led to charges of corruption—evils which must be attributed not to the country but to the system. In Great Britain during the evolution of the Constitution in the 17th and 18th centuries when powerful families contended for power similar evils were prevalent to a far greater extent. The remedy was found in the extension of the franchise and in the growth of organized political parties. The same remedy will no doubt be found in India, but an extension of education is an indispensable preliminary to the first and adequate resources for the development of local needs are necessary for the second.

I am perhaps embarking on rather a wide field in making these remarks, but I am anxious that the attention of the public, both in India and in Great Britain, should be directed to what appears to me to be some of the fundamental and little recognised causes of the failure to turn to the best account the present stage in the political development of India.

During the life-time of this Council a new Parliamentary Commission will arrive in India to study the experience of the last eight or nine years and to hear opinions from all sections of the population regarding the alterations, if any, which are desirable in the Constitution of 1919. During that enquiry you will have an opportunity of explaining the past and of recommending changes in the future. May I suggest to you, in the capacity which I have asked you to allow me to assume to-day, that the larger the measure of agreement you can secure the greater will be the value of the evidence you can give on both these points? It is for this reason that I have ventured to express an opinion on some of the larger issues involved in the framing of a Constitution in order that in the time that remains you may be considering these issues and crystallizing opinion upon them.

I have spoken of one aspect of the problem which has been particularly marked in this province. May I mention another difficulty which is also especially acute in this province and for the study of which Bengal offers very full material? I refer to the difficulty of reconciling the rival interests of Muhammadans and Hindus. These two communities are divided in nearly equal numbers in the province and the political rivalry between them—in itself a perfectly natural and healthy symptom—has led during the past year to very deplorable local riots. To say that such rivalry is an insuperable obstacle to any constitutional advance would be absurd, but to ignore altogether such a fundamental fact would be equally foolish. I welcome the

fellowship movement which has been started in the last few days with the object of effecting a greater tolerance on the part of each community towards the religious susceptibilities of the other, but that movement will fail in its object if it refuses to recognise that the animosity which has recently become so marked is political even more than religious in its origin. So long as either community aims at utilising the machinery of the constitution for the purpose of dominating the other, the antagonism will not merely persist but increase. The only road to peace which offers any hope of success is the one which the late Mr. C. R. Das tried to follow and which I have equally tried to follow in the formation of Ministries, namely, the organisation of parties on political rather than communal lines. How best to frame a democratic constitution, which will facilitate this object, and, whilst safeguarding the due representation of all communities, especially those which are in a minority, to make all the representatives answerable to a mixed rather than to a communal electorate, is, therefore, another issue which I commend to your special consideration. If the leading men of all parties and all communities in Bengal will concentrate their attention upon this problem with which they are so specially qualified to deal instead of waiting for outside suggestions which each can criticize from their respective points of view, I feel sure that a solution will be found even before the Parliamentary Commission arrives and in that case Bengal will justify the claim it is proud to make of leading the political thought of India. The suggestion that the British Parliament must decide the time and form of each successive stage in the development of the Indian Constitution is often resented in this country and in one sense very naturally resented. But, gentlemen, there is no need to wait for Parliament if you can yourselves find a solution of the admitted difficulties which beset the path of constitutional development. The ratification by Parliament of agreements reached in this country would be an easy matter and involve no humiliation. It is only attempts to force prematurely a one-sided solution by violence and intimidation that bring strife and humiliation.

In conclusion, I desire to assure you that nothing which has happened during my term of office in this province has at all shaken my faith in the necessity for developing the Indian constitution as rapidly as possible on lines which will provide for national self-expression. I may have found the difficulties to be greater than I knew before I came here, but difficulties are made to be overcome. It is the test of statesmanship to recognize them and with unwearing patience and undiminished faith to overcome them. I have made many friends in the last five years. Their friendship I value highly and shall strive to retain. For this country I shall ever retain a genuine affection and I count it a high honour to have been allowed for a short time and however imperfectly to serve it.

Gentlemen, I bid you farewell and I wish you one and all success in your efforts to advance the interests of your country and its people.

His Excellency the Governor then left the Council, preceded by the Hon'ble the President.

(On the return of the Hon'ble the President.)

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Council stands prorogued.

B. G. Press—11-4-1927—2286M & 21M—1,900—J. A. G.

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TO

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report.)

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